

JOURNAL
of the
SENATE OF THE
TWENTIETH LEGISLATURE
of the
STATE OF HAWAII

Regular Session of 1999

Convened Wednesday, January 20, 1999

Adjourned Tuesday, May 4, 1999

OFFICERS OF THE SENATE

President

HONORABLE NORMAN MIZUGUCHI.....Honolulu, Hawaii

Vice President

HONORABLE AVERY CHUMBLEY.....Honolulu, 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

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of the
STATE OF HAWAII

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Fourth	BUEN, JAN YAGI (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifth	TANAKA, JOE (D)	The Senate State Capitol Honolulu, Hawaii 96813
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Seventh	CHUN, JONATHAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighth	SLOM, SAM (R)	The Senate State Capitol Honolulu, Hawaii 96813
Ninth	MATSUNAGA, MATT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Tenth	IHARA, LES, JR. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eleventh	TANIGUCHI, BRIAN (D)	The Senate State Capitol Honolulu, Hawaii 96813

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Eighteenth	IWASE, RANDY (D)	The Senate State Capitol Honolulu, Hawaii 96813
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Twenty-Second	BUNDA, ROBERT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Third	NAKATA, BOB (D)	The Senate State Capitol Honolulu, Hawaii 96813
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Twenty-Fifth	ANDERSON, WHITNEY (R)	The Senate State Capitol Honolulu, Hawaii 96813

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STATE OF HAWAII
REGULAR SESSION OF 1999**



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15th Senatorial District
President



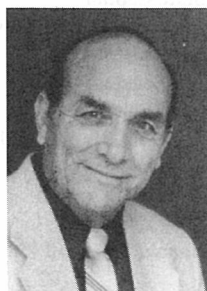
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Vice President
Co-Chair: Judiciary



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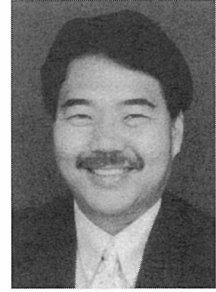
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Intergovernmental Affairs



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Chair: Water, Land, and
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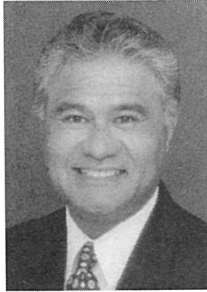
CAROL FUKUNAGA
12th Senatorial District
Co-Chair: Ways and Means



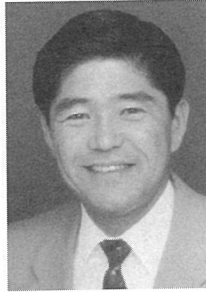
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NORMAN SAKAMOTO
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JOE TANAKA
5th Senatorial District



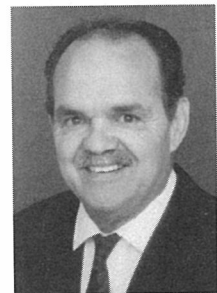
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Assistant Sergeant at Arms

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Senator Les Ihara, Jr.

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Senator David Ige
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Senator Andrew Levin, Co-Chair**

**Senator Jan Yagi Buen
Senator Jonathan Chun
Senator Suzanne Chun Oakland
Senator David Ige
Senator Marshall Ige
Senator Randy Iwase**

**Senator Cal Kawamoto
Senator Bob Nakata
Senator Rod Tam
Senator Brian Taniguchi
Senator Whitney Anderson**

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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 24, 25, 26, March 1 and 2, 1999; other recesses were held on January 29, March 8, 10, April 12, 14, 23, and May 3, 1999.

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THE
 TWENTIETH LEGISLATURE
 STATE OF HAWAII
 REGULAR SESSION OF 1999
 JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 20, 1999

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, was called to order at 10:01 o'clock a.m., by the Honorable Lorraine R. Inouye, Temporary Chair of the Senate.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawaii Pono'i" 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 Alan Urasaki of the Aiea Hongwanji Mission, who was escorted to the rostrum by Senators Buen, D. Ige and Sakamoto.

Nominations now being in order for a temporary clerk, Senator Levin nominated Paul T. Kawaguchi, seconded by Senator Tam.

Senator Kanno moved that the nominations be closed, seconded by Senator Tanaka and carried.

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

Senator Taniguchi 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 Chun Oakland and carried.

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

At 10:09 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:12 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 Lorraine R. Inouye
 Temporary Chair of the Senate
 The Twentieth State Legislature
 State Capitol
 Honolulu, Hawaii 96813

Dear Chair Inouye:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The terms of the newly elected Senators listed below will expire on November 5, 2002, except that the term of Senator David Matsuura will expire on November 7, 2000.

First Senatorial District

Lorraine R. Inouye

Second Senatorial District

David M. Matsuura

Fourth Senatorial District

Jan Yagi Buen

Sixth Senatorial District

Avery B. Chumbley

Seventh Senatorial District

Jonathan Chun

Tenth Senatorial District

Les Ihara, Jr.

Thirteenth Senatorial District

Rod Tam

Seventeenth Senatorial District

David Y. Ige

Eighteenth Senatorial District

Randy Y. Iwase

Nineteenth Senatorial District

Calvin Kawamoto

Twenty-first Senatorial District

Colleen Hanabusa

Twenty-second Senatorial District

Robert Bunda

Twenty-third Senatorial District

Bob Nakata

Respectfully submitted,

/s/ Matt Matsunaga
 /s/ Andrew Levin

/s/ Whitney Anderson"

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

The Committee on Credentials was thereupon discharged with thanks.

The Chair, at this time, appointed Senators Fukunaga, Ihara and Slom 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 Kawamoto.

Senator Hanabusa moved that the nominations be closed, seconded by Senator Fukunaga.

The motion to close the nominations was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Norman Mizuguchi as President of the Senate.

The ballot having been so cast, Senator Norman Mizuguchi was declared unanimously elected President of the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999.

The Chair then appointed Senators Chun Oakland, Kawamoto, Nakata, Tam and Anderson to escort the President to the rostrum and the President addressed the members of the Senate and guests as follows:

"Governor Cayetano, Mrs. Cayetano, Lt. Governor Hirono, Mr. Leighton Oshima, Chief Justice Ronald Moon, Mayor Apana, Mayor Harris, Mayor Kusaka, Mayor Yamashiro, honored guests from here and abroad, members of the Senate, People of Hawaii:

"Welcome to the people's house and welcome to this convening of the Senate of the 1999 Session of the Twentieth State Legislature.

"I want to thank the members of the Senate for the honor you have bestowed upon me as your President. I will do my best to uphold your trust, and your vote of confidence.

"The convergence of the twilight of the twentieth century and the dawn of a new age give us a special place in the timeline of history. We have the unique honor to serve at this juncture of two centuries and two millennia. During this historical time, we have the opportunity and inspiration to increase our efforts: to do things better and to make things right.

"A model example of one who exemplifies opportunity and inspiration is Professor Ryuzo Yanagimachi. For 30 years, he has quietly conducted research in a cramped laboratory on the UH-Manoa campus. His style is to conduct 'collaborative research' -- to work with others as partners and guide them to make things better. Professor Yanagimachi and his researchers brought international acclaim to the University of Hawaii and the State of Hawaii with successful mouse scale experiments. He, like many others in Hawaii, worked quietly without

complaining to bring about change in Hawaii. We all should embody Professor Yanagimachi's spirit that nothing is impossible to accomplish.

"Professor Yanagimachi, please stand to be recognized. (Professor Yanagimachi then rose to be recognized.)

"As we begin, we must listen to the people, they have a strong message for us. They want us to solve the problems that concern them the most. They want us to promote jobs and economic recovery, save small business, strengthen health care, improve public education, and make government serve the people.

"These are all matters of major importance, deserving our full attention. These are also matters which can be resolved only if we reason together as never before. This requires good faith by all parties involved in the legislative process. We need collaboration, cooperation, and the best efforts from everyone. And when there are conflicts, as there surely will be, we need civility and conciliation to be the rule, not discord and disunity.

"In this session, our most serious challenge is the economy.

"One proposal that emerged from the Senate's recent workshops to seek ways to stimulate the economy and create new jobs deserve our full support. Hawaii has a timely opportunity to establish a call-center industry, where we can serve as the 'electronic front-door' and the base for U.S. companies doing business in the vast Pacific-Asian markets or planning to enter these markets. The Internet will drive Hawaii's new economy and call centers would provide product and service information on behalf of U.S. companies.

"Hawaii has several advantages. To staff the call centers, Hawaii has a large number of adults who speak English as well as an Asian language, and we have the education resources to train more people in Asian languages. In addition, our time zone makes it convenient to communicate with Asia and the United States Mainland. Furthermore, Hawaii has an existing fiber optic cable system that connects Hawaii to the U.S. Mainland and the Pacific.

"If we make a breakthrough in the establishment of call centers, I believe it will open the way to other high technology opportunities. Call centers should be placed on a fast track. In moving ahead, we should also consider what kinds of incentives might be needed to induce companies to use Hawaii's facilities and workforce as their linkage to the Asian markets.

"Another resolve which emerged from the Senate's economic workshops is that we must persevere in seeing that local workers are hired for U.S. Department of Defense contracts performed in Hawaii. Our unemployment rate exceeds the national average, and therefore, under federal law, Department of Defense contractors with projects in Hawaii should be hiring local residents. However, Hawaii workers are not getting their fair share of jobs.

"The conclusion that we reached in our workshops is that we must clearly define Hawaii residents in our labor laws. This and other legislative proposals that will be introduced for your consideration would be the most promising approach to have federal contractors comply with federal law and open up more jobs for our local workers.

"In addition to trying to keep monies here at home through our work on the Department of Defense contracts, we have the opportunity to do the same with monies spent out-of-state for reinsurance. Therefore, we will aggressively work to attract the reinsurance industry to Hawaii for its jobs and its capital formation and retention.

"We can try to attract new businesses to locate here, and we can try to ensure that our workers get their fair share of defense

jobs, but how can we help the existing small businesses that struggle to survive year after year? Small businesses are the bulwark of our economy, and they provide the most jobs.

"In a recent interview, former Governor Ariyoshi raised an important issue. Government might consider giving a tax break to a new business coming in, but he asked: 'What about the businesses that have been here struggling all the time?' He observed: 'If we can somehow take the businesses that are here and make them feel that they are, in fact, cared for, I think that would go a long ways toward bringing our economy back.'

"I agree. Those are my sentiments exactly.

"I propose to the Senate that we lessen the tax burden specifically on small businesses. The most direct and efficient way to accomplish this relief is through a program of tax incentives. We will consider how best to structure these tax incentives and how long they should continue, but we intend that they be substantial, in the magnitude of about \$50 million. This proposal of tax incentives for existing small businesses does not preclude other approaches. We welcome all proposals to strengthen the small business sector of our economy. Let this be the session that we rally and respond to help small business.

"I now turn to what has been my foremost social concern for many of my years in the Legislature. That concern is long-term care.

"By now, the facts of this growing problem and looming tragedy are clear. Only the solutions are debatable. The escalating need for long-term care comes from the increase of an aging population with the mixed blessing of greater longevity versus longer illnesses. Many of us have experienced or know the harsh consequences when a person needs long term care.

"It is immensely expensive with the national average for institutional care now costing well over \$40,000 a year and continuing to spiral. Government's response, shared by the federal government and the states, has been Medicaid. It pays for the vast majority of long-term care patients, but it is a huge drain on federal and state budgets, including our own.

"It was once thought that the answer was in the Family Hope program, which would provide comprehensive long-term care for all who need it. But it is doubtful that Family Hope or any similar, comprehensive program can be enacted today or in the near future.

"Rather than be mired at dead center and do nothing, I propose that we move ahead and do the best that we can.

"One alternative to Medicaid is long-term care insurance. Increasingly, there is a wider range of long-term care insurance policies being offered in a more competitive market. It is now feasible for more individuals to consider buying long-term care insurance to provide for themselves and to protect their family assets. But insurance is expensive, especially for older persons who buy policies for the first time. High cost has been the greatest barrier to long-term care insurance.

"Let us lower that barrier by making the purchase of private insurance more affordable. We can do that by offering tax credits to offset the cost of 50 percent of the annual premiums up to a specified limit. Thus a policy that might ordinarily cost \$2,000 a year would then actually cost \$1,000.

"We must keep faith with our senior citizens on this issue.

"On the opposite side of the spectrum, we need to create new opportunities for early childhood development and education. The evidence is convincing that the early childhood years are the most critical in determining how well a child will do in later years. The track record of programs like the Good Beginnings

Alliance, Healthy Start and 0 to 3 exemplify the positive effects of early nurturing and learning.

"I propose two pilot projects to advance early childhood development and education. One project would be an early childhood development and education center on the Waianae Coast for native Hawaiian infants and young children up to age 4. This would be an excellent opportunity to expand the commitment of Princess Pauahi Bishop's wise and noble legacy, and that is why I will initiate discussion of this concept with Kamehameha Schools/Bishop Estate and other native Hawaiian organizations. I also see where valuable staff assistance can be contributed by students of the John A. Burns School of Medicine as part of their medical training.

"The second project would be carried out by the Department of Education at Linapuni School in Kalihi. Linapuni is currently an abbreviated elementary school from kindergarten to the second grade. The children there could be served just as well by Kalihi-waena and Fern elementary schools. Linapuni would then be converted to an early childhood development and education center for infants and children up to four years of age.

"With these two pilot projects, we would have a solid basis to determine the future course, content and range of early childhood education for the entire State.

"By far, the largest issue at hand in the area of education is compliance with the Felix consent decree. While the State is legally obligated to comply, we as Senators have a fiduciary responsibility to ensure that cost control measures are in place and that, ultimately, the money is being used for direct services to the children. This session I am requesting the co-chairs of the Ways and Means Committee and other appropriate committee chairs to review approaches that will improve accountability of the funds appropriated to the Felix issue.

"As I acknowledge the problems of the here and now, I also propose that we put in place a concept that I have supported since I chaired the House Education Committee 22 years ago -- the concept of school-by-school budget.

"School-by-school budgeting would formalize what teachers and principals already do in spending their supply and equipment monies and put the rest of their operating funds within their control and allow schools to truly operate as education centers, responsible for their resources as well as their outcome.

"School-by-school budgeting is the first step in reshaping the accountability of the educational institution, from teacher certification, to the responsibilities of school administration, to the accountability of the entire school.

"We as legislators are held accountable for funding the DOE, and school-by-school budgeting is the tool by which we can make informed decisions as to the appropriate level of funding and issues regarding school empowerment.

"With respect to the other important components of public education -- the University of Hawaii system -- we made the right decision in giving it as much autonomy as we possibly could while still preserving the university as a public institution. Yet, I believe we can still strengthen its governance, expand its visions, and elevate its national and international standing.

"We can do this by infusing the Board of Regents with additional vitality. I propose that we enlarge the Board of Regents by three additional members, with all three seats to be reserved for nonresidents of Hawaii. These nonresident regents are to be persons with renowned national and international reputations. The experience, knowledge and reputation that these new regents can bring will help advance the University of Hawaii onto the global stage of the twenty-first century.

"Finally, I would like to make a basic observation and proposal about government. I believe that all citizens should have the right to uninterrupted government services. The federal government shutdown a few years ago caused a nationwide outrage. In Hawaii, we have had our own share of government service disruptions.

"Over the years, we have come to realize that strikes by government workers are harmful to all parties. Beginning with the firefighters, a number of collective bargaining units have given up the right to strike in favor of binding arbitration.

"I propose that we now take the final steps to ensure the continuation of all government services. This would involve prohibiting strikes by public school teachers and the faculty of the University of Hawaii, and nonsupervisory blue-collar workers. For these units, it would mean using binding arbitration as the final means of settlement when agreements cannot be reached in collective bargaining negotiations.

"This fundamental change -- no strikes ever by all state and county workers -- would be in the best interests of government employees. Just as importantly, it would be in the best interests of the taxpayers public.

"Many other proposals will be on the Senate's agenda. I have mentioned only a few of them. Earlier during the pre-session, I said that the Senate will not be bogged down by issues which are divisive and sidetrack us from the important matters at hand. This does not mean that we should duck controversial issues, including the social policy recommendations of the Governor. There should always be room for discussion of even the most controversial issues. This is what a legislative forum is all about. But it does mean that we should not be forced to act on an issue where there is little chance that a consensus can be obtained. In short, if we cannot find common ground and reach timely agreement, we must move on.

"Sixty days separate us from today and a good ending to the session. We must use each day wisely and to the fullest. Working together, we can make this a very productive session, worthy of the people who sent us here to do their business.

"Mahalo and Aloha."

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

"Mr. President, Governor and Mrs. Cayetano, distinguished guests, colleagues, people of Hawaii, family and friends -- Aloha.

"This is the last legislature of the twentieth century. One hundred years ago, Hawaii was in a state of transition. It began as a monarchy, then we went on to become an independent republic, was annexed as a territory of the United States and finally became the 50th State of the United States. And as history tells us, the first legislature of this century faced, as we do today, the need to adjust -- to adjust to a changing world. I only pray that we will all succeed as well as they did.

"To make this happen and to turn things around will take strong leadership in order to help us prosper and grow -- leadership based on principles, not friendships. I applaud the Senate President for his statements ensuring the public that this legislative body will focus first on the economy so that we can then take care of all of our other issues.

"Last year I spoke of hope -- hope for true leadership, hope for true reform and, yes, hope for the people of Hawaii. I believed that we had reached a turning point in these hard years of economic drought. I thought that together we would find workable solutions. Unfortunately, I was wrong. We must all face the bleak fact that we are continuing to experience an economic drought. We are in even more trouble today than

ever before. Sure, some of us are better off than we were last year, but those people are few and far between.

"Ladies and gentlemen, in this new millennium, I see a Hawaii that is an enviable place to live, work and raise our families. I see a sound, healthy economy where small businesses can thrive. I see our State less dependent on tourist dollars and relying more on diversified agriculture. I see our children learning in top-notch schools that are well maintained with books for all and teachers who are paid what they deserve. And yes, I do see hope for the citizens of our great State.

"My fellow colleagues, the people of Hawaii are counting on us, their elected officials, to make these positive changes and to provide them that hope and positive imagination for their future. Unfortunately, we have failed in the past to provide this leadership and to institute true reform. We cannot, and we must not fail again. I said it once and I'll say it again, we have to make tough decisions this legislative session -- decisions that are based on what is right, not what looks good on election day. We must plan, we must budget, and above all, we must think and act sensibly.

"We must put our fiscal house in order and comply with the statutes by filling the Office of the Legislative Analyst and funding it. This is the only way our legislative branch will really be able to implement performance-based management of the state budget. The departments will have to justify the budget they present us. The unfilled position was authorized by Act 347 in 1990 and it was never funded. We did come close last year, but the bill died in Ways and Means. We need to immediately begin the search for a qualified person to serve as the State's Legislative Analyst. This person should have the same type of excellent qualifications as the State Auditor, Marion Higa, and I'm sure that person would perform a similarly outstanding job.

"It seems that the administration and some legislators look for ways to spend money if the economic forecast looks good. For instance, why are we pouring more money into the airport when the tourism industry is reported to be declining? Why are we spending millions of dollars targeting the Asian tourism market whose economy is down, while we are spending far less on the Mainland markets whose economy is up. The reports that we get, we get an immediate response on those dollars spent there. I believe that we should be spending our money more efficiently.

"Bankruptcies -- personal and business -- are at an all time high. Just about every time we pick up a newspaper, we read of another small business that has failed. Successful small businesses stimulate our economy . . . we must support them. We should consider giving new types of businesses tax breaks for the first year in business for new businesses. And yes, as the President said, we should give the same tax breaks if we have similar based businesses here in Hawaii.

"Much of the high cost of doing business in Hawaii is due to high lease rent. Surplus state lands and unused agriculture lands should be made available to small businesses at reasonable rates. Long-term, low-cost leasing would enable small businesses to get much needed bank loans.

"Take for instance offering a 55-year lease on state land, no rent for the first five years (I'm sure that the banks could accept this). The counties would get property tax. The construction industry would be stimulated, then there would be jobs. Rent would then be paid to the State after the five years is up. Or how about a seven-year phase in -- zero the first year, a percentage the second year and so on until after seven years they pay the full amount.

"And speaking of lands, we must make good use of our thousands of acres of state lands. It has been 20 years since the Constitutional Convention mandated LESA. We must immediately move to identify and protect our valuable

agricultural lands and designate marginal, conservation and other lands. Rather than going through a costly condemnation process to take someone's land, we have to utilize those state lands that are just lying idly. Lands taken out of agriculture shouldn't be just turned into tracts for big buildings or houses. We must actively encourage diversified agriculture and forestry, ecotourism and also cultural parks. Large cultural parks would provide open, green space and also multiple opportunities for entrepreneurs and small businesses. We can work with our ethnic chambers of commerce to accomplish this.

"Rather than just continue to give lip service, we must provide diversified agriculture farmers the help we have promised for well over twenty years. We should look at the leases on state lands that have been bid out and make sure that those lease holders who have complied with all of the provisions set forth in their lease should have the automatic option to re-lease these lands without again going through a costly and time consuming bidding process. This can and should be done for all state leases -- agricultural, commercial, residential, etc.

At a time when so many small businesses are forced to downsize, our state government is bloated, primarily because it covers functions it should not cover and does not adequately staff in the areas we are responsible for. We should take a close look at our hiring practices. We should look not so much at cutting the number of employees, but rather making sure that they are filling necessary positions in the various departments. Our departments run the spectrum from grossly over-staffed to pitifully understaffed. Take for instance, the CSEA (Child Support Enforcement Agency). It has the highest caseload per worker in the nation.

"Government should be more efficient and accountable, ladies and gentlemen. We must have rules and regulations but they should not have the force of law. That only stifles local growth and discourages new businesses from establishing in Hawaii. We must also encourage the privatization of those functions of government that can be performed more efficiently and effectively at less cost by the private sector.

"We can and should streamline our very own legislature. We could do this with a unicameral legislature -- one house consisting of fifty-one members will be both cost-effective and time-efficient. A unicameral legislature has worked for years in Nebraska and it can work here too. Departmental administrators and others will save time testifying in one committee in a single house, rather than wasting countless hours standing at the railing waiting to give the same testimony they gave a few weeks before in the opposite house. Government will be more open because decisions will no longer be made in the secrecy of conference committees. And of course, there will be far less duplication of bills. And if you don't really think that a fifty-one member unicameral legislature will save dollars, just envision for a moment, ladies and gentlemen, the entire second floor of this building completely EMPTY -- no Senators, no staff, no phones, no faxes, no people running around -- completely EMPTY. That's a whole lot of dollars saved!

"Ladies and gentlemen, we should concentrate not only on just dollars and cents, but more so on good common sense.

"And while we are on the subject of the legislature, during the last legislative session a multi-million dollar deal was perpetrated on the people of Hawaii -- a sweetheart deal to provide corporate welfare to a former island-based company. I'm speaking about the Waiahole Ditch. In order to make it legal, our legislature exempted chapter after chapter of Hawaii laws, laws that the legislature itself had enacted over the years. In one fell swoop, we brushed aside statutory laws that everyone else must abide by to give preference to one corporation. This should not -- must not -- ever be allowed to ever happen again. Hawaii Revised Statutes must apply to

everyone and to every special interest equally. Never again should the legislative and executive branches of our government be allowed to erase whole chapters of the laws to benefit any entity at the expense of our citizens. Prohibiting exemptions to any chapter or section of the law without a two-thirds vote of both houses would make it very difficult to favor any one entity or special interest by exempting them from the law. At the same time, a two-thirds vote in both houses would allow for emergency legislation in extraordinary circumstances such as natural disasters, wars, floods, water shortages and so forth.

"What about education? Our children are being educated in failing schools. You've all read the front page headlines decrying the poor performance. We rank among the lowest in the nation in the areas of academic standards, assessments and school accountability. We need to hold our paid leaders in education accountable for test scores, poor performances and low expectations. Our education system is substandard at best and it is our children -- tomorrow's leaders -- that will suffer because of it. Without well-educated citizens, ladies and gentlemen, it is impossible to understand and react to the new realities of this world. We cannot compete educationally in the twenty-first century using a nineteenth century school system. We must strive for improvement and we mustn't be afraid to experiment -- to try something new. Our schools are in gross disrepair and we don't even have an adequate number of textbooks for our children. Many of the textbooks we do have in our schools are outdated and need to be replaced. We should make use of vouchers to give parents more choice in how and where they want their children to be educated. We should consider revamping the charter schools that are currently in operation that are too closely tied to the Department of Education. We should allow them greater independence so that they can perform the functions characteristic of true charter schools.

"Hopefully, we can all agree on decentralizing the Board of Education so that each district elects its own members. Board of Education members should not be appointed by the Governor, but I do strongly believe in an appointed superintendent. This would, of course, require a constitutional amendment. This superintendent should not be given a five year contract, but as long as he or she is doing the job that they are appointed for, it would be for the same length of time that the Governor is in office. This would prevent a new administration from being forced to honor the contract of a previous governor's cabinet member. As a member of the governor's cabinet, the school superintendent should not be accountable to the Board of Education, but to the Governor and to the people of Hawaii. And finally, we must encourage teachers -- good teachers -- to teach our children in our public schools by awarding them merit pay.

"Hindsight is twenty-twenty, as we all know. But ladies and gentlemen, I believe we should have paid more attention to the civil service reform ideas generated by James Takushi. These ideas would have added more flexibility to managing government employees. Not surprisingly, these suggestions were killed, possibly by the unions. I have said that teachers and others should be paid on merit, and to do so, we have to reform our collective bargaining laws. For too long we have allowed almost all government employees to be paid on an even scale. By this I mean that everyone gets the same percentage of pay regardless of his or her ability to work hard or just lean on a broom. There should be a mechanism in place to reward good workers and superior unionized employees. Unions are needed and necessary, but when it comes to bargaining for across the board, it should be for medical benefits, retirement benefits, etc. We should also seriously think about upper-level blue and white collar supervisors, as well as school principals, being unionized. After all, they are management.

"Hawaii is one of only two states which does not support some form of legalized gambling which could generate significant income for our State. I know you have all heard the

stories that if you frequent Las Vegas on any given weekend, you feel like you're in Hawaii. Every dollar spent in Las Vegas by a local resident is a dollar lost for Hawaii's economy. Year after year, we debate the pros and cons of lotteries, off-shore casinos, horse racing and even bingo. Yet, we pass nothing. I have proposed in the past and will do so again, a non-binding referendum to give the people of this State the opportunity to voice their opinion for or against gambling once and for all. Then our legislators can follow the wishes of their constituents, not just the special interest groups who flock to the legislature every year to protest any type of legalized gambling or to try to have us pass it. An Attorney General opinion that was passed in 1936 (AG 63-11) established that non-binding referendums are legal and indeed we should consider this because we don't need a constitutional change. Again, I say let our people speak out on this particular issue!

"The past few years in our State have been hard and I will be the first to admit that it is not going to be easy to turn things around. We have to listen to all sides. Republicans have had innovative ideas for years, but most of our legislation, ladies and gentlemen, never receives a public hearing. And let me tell you -- You don't have to be a Democrat member to have a good idea. I agree with the President, it's time to end partisan bickering, put aside political differences and pull together for the good of the people of Hawaii. Does this mean unicameral, merit pay, taxes off food and drugs, changing our rules and regs, utilization of state lands, vouchers for education? You tell us. Because the only promise that Senator Slom and I have ever made is that we will work as hard as we possibly can for the people of Hawaii. We make no other promises.

"Mahalo and Thank you."

At 11:06 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 "Na Leo Pilimehana" and Miss Kara Owada the "Oscar Meyer Wiener Kid."

The Senate reconvened at 11:28 o'clock a.m.

The President thanked "Na Leo Pilimehana" and Kara Owada 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 Avery Chumbley for Vice President of the Senate, seconded by Senator Matsuura.

Senator D. Ige moved that the nominations be closed, seconded by Senator M. Ige.

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

The ballot having been so cast, Senator Avery Chumbley was declared unanimously elected as Vice President of the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999.

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. Villaflo for Sergeant-at-Arms of the Senate, and Abraham Pacheco for Assistant Sergeant-at-Arms of the Senate, Twentieth Legislature of the State of Hawaii, Regular Session of 1999, was offered by Senators Ihara and Anderson.

On motion by Senator Bunda, seconded by Senator Iwase 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 Ihara and Anderson.

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

SENATE CONCURRENT RESOLUTION

The following concurrent 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 Chumbley and Matsunaga.

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

At 11:32 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 the "Society of Seven."

The Senate reconvened at 12:04 o'clock p.m.

The President thanked the gentlemen of the "Society of Seven" for their performance during the recess.

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

Majority Leader:
Senator Les Ihara, Jr.

Majority Floor Leader:
Senator Jonathan Chun

Minority Leader:
Senator Whitney Anderson

Minority Floor Leader:
Senator Sam Slom

The President also announced the following standing committees of the Senate, their respective chairs and members:

COMMERCE AND CONSUMER PROTECTION

Senator Brian Kanno, Co-Chair
Senator Brian Taniguchi, Co-Chair
Senator Robert Bunda
Senator Colleen Hanabusa
Senator Les Ihara, Jr.
Senator Lorraine R. Inouye
Senator David Matsuura
Senator Sam Slom

ECONOMIC DEVELOPMENT

Senator Lorraine R. Inouye, Chair
Senator Jan Yagi Buen, Vice Chair
Senator Marshall Ige
Senator Cal Kawamoto
Senator Brian Taniguchi
Senator Sam Slom

EDUCATION AND TECHNOLOGY

Senator David Ige, Chair
 Senator Norman Sakamoto, Vice Chair
 Senator Robert Bunda
 Senator Avery Chumbley
 Senator Matt Matsunaga
 Senator Rod Tam
 Senator Sam Slom

GOVERNMENT OPERATIONS AND HOUSING

Senator Rod Tam, Chair
 Senator David Matsuura, Vice Chair
 Senator Jonathan Chun
 Senator Colleen Hanabusa
 Senator Andrew Levin
 Senator Matt Matsunaga
 Senator Norman Sakamoto
 Senator Joe Tanaka
 Senator Whitney Anderson

HEALTH AND HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair
 Senator Randy Iwase, Vice Chair
 Senator Carol Fukunaga
 Senator Andrew Levin
 Senator Whitney Anderson

JUDICIARY

Senator Avery Chumbley, Co-Chair
 Senator Matt Matsunaga, Co-Chair
 Senator Suzanne Chun Oakland
 Senator Les Ihara, Jr.
 Senator Norman Sakamoto
 Senator Joe Tanaka
 Senator Whitney Anderson

LABOR AND ENVIRONMENT

Senator Bob Nakata, Chair
 Senator Marshall Ige, Vice Chair
 Senator Avery Chumbley
 Senator Suzanne Chun Oakland
 Senator Carol Fukunaga
 Senator Les Ihara, Jr.
 Senator Brain Kanno
 Senator Sam Slom

TRANSPORTATION AND INTERGOVERNMENTAL AFFAIRS

Senator Cal Kawamoto, Chair
 Senator Robert Bunda, Vice Chair
 Senator Jan Yagi Buen
 Senator David Ige
 Senator Lorraine R. Inouye
 Senator Randy Iwase
 Senator Brian Taniguchi
 Senator Sam Slom

WATER, LAND, AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair
 Senator Joe Tanaka, Vice Chair
 Senator Jonathan Chun
 Senator Brian Kanno
 Senator David Matsuura
 Senator Bob Nakata
 Senator Whitney Anderson

WAYS AND MEANS

Senator Carol Fukunaga, Co-Chair

Senator Andrew Levin, Co-Chair
 Senator Jan Yagi Buen
 Senator Jonathan Chun
 Senator Suzanne Chun Oakland
 Senator David Ige
 Senator Marshall Ige
 Senator Randy Iwase
 Senator Cal Kawamoto
 Senator Bob Nakata
 Senator Rod Tam
 Senator Brian Taniguchi
 Senator Whitney Anderson

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, 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 12:05 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 EDUCATION."

Introduced by: Senator Tam.

No. 2 "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE."

Introduced by: Senator Tam.

No. 3 "A BILL FOR AN ACT RELATING TO THE REAL ESTATE COMMISSION."

Introduced by: Senator Tam.

No. 4 "A BILL FOR AN ACT RELATING TO GOVERNMENT ADMINISTRATION."

Introduced by: Senator Tam.

No. 5 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Tam.

No. 6 "A BILL FOR AN ACT RELATING TO WATER QUALITY."

Introduced by: Senator Tanaka.

No. 7 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Tanaka.

No. 8 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Tanaka.

No. 9 "A BILL FOR AN ACT RELATING TO FOREIGN CAPITAL DEPOSITORIES."

Introduced by: Senator Tanaka.

No. 10 "A BILL FOR AN ACT RELATING TO WASTEWATER."

Introduced by: Senator Tanaka.

No. 11 "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION."

- Introduced by: Senator Tanaka.
- No. 12 "A BILL FOR AN ACT RELATING TO INCOME TAX."
Introduced by: Senator Tanaka.
- No. 13 "A BILL FOR AN ACT RELATING TO PROCESS SERVERS."
Introduced by: Senator Tanaka.
- No. 14 "A BILL FOR AN ACT RELATING TO CRIMES AGAINST NONRESIDENTS."
Introduced by: Senator Tanaka.
- No. 15 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Inouye.
- No. 16 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Inouye.
- No. 17 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Inouye.
- No. 18 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS."
Introduced by: Senator Slom.
- No. 19 "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES."
Introduced by: Senators Levin, Chun, Kanno, Nakata, Fukunaga, Taniguchi.
- No. 20 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."
Introduced by: Senators Taniguchi, Kanno.
- No. 21 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."
Introduced by: Senator Taniguchi.
- No. 22 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."
Introduced by: Senator Taniguchi.
- No. 23 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."
Introduced by: Senator Taniguchi.
- No. 24 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL ADMINISTRATION FOR KAU HIGH AND PAHALA ELEMENTARY SCHOOL."
Introduced by: Senator Levin.
- No. 25 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Levin.
- No. 26 "A BILL FOR AN ACT RELATING TO EARTHQUAKE INSURANCE."
Introduced by: Senator Levin.
- No. 27 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."
Introduced by: Senator Levin.
- No. 28 "A BILL FOR AN ACT RELATING TO AN INSURANCE CONSUMER ADVOCATE."
Introduced by: Senator Levin.
- No. 29 "A BILL FOR AN ACT RELATING TO IRRADIATION OF AGRICULTURAL COMMODITIES."
Introduced by: Senator Levin.
- No. 30 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."
Introduced by: Senators Levin, Nakata.
- No. 31 "A BILL FOR AN ACT RELATING TO ALCOHOL CONCENTRATION LEVELS."
Introduced by: Senator Levin.
- No. 32 "A BILL FOR AN ACT RELATING TO INCOME TAX."
Introduced by: Senator Levin.
- No. 33 "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES."
Introduced by: Senator Levin.
- No. 34 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS."
Introduced by: Senator Inouye.
- No. 35 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE."
Introduced by: Senator Inouye.
- No. 36 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
Introduced by: Senator Tam.
- No. 37 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN LANGUAGE EDUCATION."
Introduced by: Senator Tam.
- No. 38 "A BILL FOR AN ACT RELATING TO ANNUAL STATE AND COUNTY GOVERNMENT FINANCIAL AUDITS."
Introduced by: Senator Tam.
- No. 39 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senator Mizuguchi.

No. 40 "A BILL FOR AN ACT RELATING TO
PHYSICIAN ASSISTANTS."

Introduced by: Senator Mizuguchi.

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

Introduced by: Senator Mizuguchi.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30
o'clock a.m., Thursday, January 21, 1999.

SECOND DAY

Thursday, January 21, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major Warren Dabis, The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senators Bunda, M. Ige, Iwase and Sakamoto who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 30) were read by the Clerk and were placed on file:

Gov. Msg. No. 1, dated November 27, 1998, transmitting "The Hawaii Data Book for Older Adults," prepared by the Executive Office on Aging.

Gov. Msg. No. 2, dated November 27, 1998, transmitting a report prepared by the University of Hawaii pursuant to Section 304-8.96, HRS, on the University of Hawaii Housing Assistance Revolving Fund.

Gov. Msg. No. 3, dated November 27, 1998, transmitting the "Biennium Report on Benchmarks and Performance Indicators at the University of Hawaii," prepared by the University of Hawaii pursuant to Section 304-4.5, HRS.

Gov. Msg. No. 4, dated November 27, 1998, transmitting the "Report on Community College Feasibility of Utilizing Former Sheraton Makaha Inn as an Educational Training Conference and Outreach Center," prepared by the University of Hawaii pursuant to H.C.R. No. 213 (1998).

Gov. Msg. No. 5, dated November 27, 1998, transmitting the University of Hawaii's Annual Report on the Salaries Paid to All University of Hawaii Executive, Managerial, and Faculty Members Including the President, pursuant to Section 304-13.5, HRS.

Gov. Msg. No. 6, dated December 1, 1998, transmitting the 1998 Annual Update Report on Various Cost Options on Customary Fee Profiles for Non-Institutional Health Care Providers, prepared by the Department of Human Services pursuant to Section 346-59, HRS.

Gov. Msg. No. 7, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 85, SLH 1997, on the transfers from DHRD to DOE for workers' compensation.

Gov. Msg. No. 8, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 96, SLH 1997, on the transfer of funds in EDN 100 and EDN 200.

Gov. Msg. No. 9, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 344, SLH 1997, on workers' compensation coverage.

Gov. Msg. No. 10, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 73, SLH 1997, on the transfer of operating funds.

Gov. Msg. No. 11, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to

Act 328, Section 75, SLH 1997, on the implementation of the Felix vs. Cayetano consent decree.

Gov. Msg. No. 12, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 146, SLH 1997, on CIP program staff costs.

Gov. Msg. No. 13, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to H.C.R. No. 212 (1998), on partnership with the private sector in education.

Gov. Msg. No. 14, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 211, SLH 1997, on federal funds received.

Gov. Msg. No. 15, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 209, SLH 1997, on the Decategorization Demonstration Program.

Gov. Msg. No. 16, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to S.C.R. No. 28 (1998) on student-centered mental health intervention services.

Gov. Msg. No. 17, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Section 302A-301, HRS, on the operations of the Incentive and Innovation Grant Review Panel.

Gov. Msg. No. 18, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 309, SLH 1998, on student competency in a language other than English.

Gov. Msg. No. 19, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 116, Section 188.1, SLH 1998, on federal funds received or expected.

Gov. Msg. No. 20, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 328, Section 79, SLH 1997, on instructional materials for regular instruction.

Gov. Msg. No. 21, dated December 1, 1998, transmitting a report prepared by the Department of Education in response to Act 116, Section 85, SLH 1998, on the transfer of personnel management specialist IV positions.

Gov. Msg. No. 22, dated December 1, 1998, transmitting the Teacher Education Coordinating Committee Annual Report, 1997-1998, pursuant to Section 304-20, HRS.

Gov. Msg. No. 23, dated December 8, 1998, transmitting a report on expenditures to pay unemployment compensation claims of former state employees, pursuant to Act 116, Section 133, SLH 1998.

Gov. Msg. No. 24, dated December 8, 1998, transmitting a report on the general fund expenditures for the payment of workers' compensation claims in accordance with Act 116, Section 132, SLH 1998.

Gov. Msg. No. 25, dated December 8, 1998, transmitting a report, "Fiscal Year 1999 Expenditures Report for Health Fund Premiums, Witness Fees, Court Appointed Counsel, General Obligation Bonds, Unclaimed Property, Pension Accumulation, and Social Security/Medicare," pursuant to Act 116, Sections 124, 128, 129 and 135, SLH 1998.

Gov. Msg. No. 26, dated December 8, 1998, transmitting the Fiscal Year 1998 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. 27, dated December 8, 1998, transmitting the 1997 Annual Report prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 28, dated December 8, 1998, transmitting a report, "Pacific Cargo Network System Master Plan," prepared by the Department of Transportation pursuant to Act 116, Section 30.2, SLH 1998.

Gov. Msg. No. 29, dated December 8, 1998, transmitting the "Special Maintenance Expenditure Report," prepared by the Department of Transportation pursuant to Act 116, Sections 30, 33 and 40, SLH 1998.

Gov. Msg. No. 30, dated December 8, 1998, transmitting a report, "Project-Funded Staff Services Budget Report," prepared by the Department of Transportation pursuant to Act 116, Sections 141, 142 and 144, SLH 1998.

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 20, 1999, was placed on file.

On motion by Senator Chun, 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 20, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 1999," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 and 3) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A JOINT MEETING OF THE STATE HIGH TECHNOLOGY AGENCIES FOR THE PURPOSE OF DETERMINING THE FUTURE OF THESE AGENCIES."

Offered by: Senator Mizuguchi.

No. 3 "SENATE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS."

Offered by: Senators Kawamoto, Anderson, Buen, Bunda, Chumbley, Chun, Chun Oakland, Fukunaga, Hanabusa, D. Ige, M. Ige, Ihara, Inouye, Iwase, Kanno, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka, Taniguchi.

SENATE RESOLUTION

The following resolution (S.R. No. 3) was read by the Clerk and was deferred:

Senate Resolution

No. 3 "SENATE RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS."

Offered by: Senators Kawamoto, Anderson, Buen, Bunda, Chumbley, Chun, Chun Oakland, Fukunaga, Hanabusa, D. Ige, M. Ige, Ihara, Inouye, Iwase, Kanno, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka, Taniguchi.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 20, 1999:

Senate Bill	Referred to:
No. 1	Committee on Education and Technology, then to the Committee on Judiciary
No. 2	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 3	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 4	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 5	Committee on Economic Development, then to the Committee on Ways and Means
No. 6	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 7	Committee on Education and Technology, then to the Committee on Ways and Means
No. 8	Committee on Education and Technology, then to the Committee on Ways and Means
No. 9	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 10	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 11	Committee on Judiciary
No. 12	Committee on Education and Technology, then to the Committee on Ways and Means
No. 13	Committee on Judiciary, then to the Committee on Ways and Means
No. 14	Committee on Judiciary, then to the Committee on Ways and Means
No. 15	Committee on Ways and Means
No. 16	Committee on Ways and Means
No. 17	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

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

At 11:41 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.

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, 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 11:46 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 42 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."

Introduced by: Senators Chun, Chumbley.

No. 43 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi.

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

Introduced by: Senator Mizuguchi.

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

Introduced by: Senator Mizuguchi.

No. 46 "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING."

Introduced by: Senator Mizuguchi.

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

Introduced by: Senator Mizuguchi.

No. 48 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 49 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."

Introduced by: Senator Tanaka.

No. 50 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Tanaka.

No. 51 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Buen.

No. 52 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Buen.

No. 53 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Buen.

No. 54 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

- Introduced by: Senator Buen.
- No. 55 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senator Buen.
- No. 56 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES."
- Introduced by: Senator Buen.
- No. 57 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."
- Introduced by: Senator Buen.
- No. 58 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."
- Introduced by: Senator Buen.
- No. 59 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
- Introduced by: Senator Buen.
- No. 60 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
- Introduced by: Senator Buen.
- No. 61 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE INSURANCE."
- Introduced by: Senator Buen.
- No. 62 "A BILL FOR AN ACT RELATING TO CRIMES."
- Introduced by: Senator Kawamoto.
- No. 63 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Kawamoto.
- No. 64 "A BILL FOR AN ACT RELATING TO CHILDREN."
- Introduced by: Senator Kawamoto.
- No. 65 "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYMENT."
- Introduced by: Senator Kawamoto.
- No. 66 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Kawamoto.
- No. 67 "A BILL FOR AN ACT RELATING TO CITATIONS."
- Introduced by: Senator Mizuguchi, by request.
- No. 68 "A BILL FOR AN ACT RELATING TO PUBLIC LAND."
- Introduced by: Senator Mizuguchi, by request.
- No. 69 "A BILL FOR AN ACT RELATING TO TRAFFIC LAW ENFORCEMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 70 "A BILL FOR AN ACT RELATING TO VOTE-BY-MAIL ELECTIONS."
- Introduced by: Senator Mizuguchi, by request.
- No. 71 "A BILL FOR AN ACT RELATING TO A COMMUNITY LANDS AND OPEN SPACE ACQUISITION FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 72 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR WATER CONSERVATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 73 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."
- Introduced by: Senator Mizuguchi, by request.
- No. 74 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS."
- Introduced by: Senator Mizuguchi, by request.
- No. 75 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS."
- Introduced by: Senator Mizuguchi, by request.
- No. 76 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS."
- Introduced by: Senator Mizuguchi, by request.
- No. 77 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senator Mizuguchi, by request.
- No. 78 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AGREEMENTS."
- Introduced by: Senator Mizuguchi, by request.
- No. 79 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."
- Introduced by: Senator Mizuguchi, by request.
- No. 80 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
- Introduced by: Senator Mizuguchi, by request.
- No. 81 "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES."
- Introduced by: Senators Kanno, Kawamoto.
- No. 82 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SCHOOL-TO-WORK OPPORTUNITIES PROJECT."
- Introduced by: Senators Kanno, Kawamoto.

No. 83 "A BILL FOR AN ACT RELATING TO A CONSOLIDATED PERMIT APPLICATION AND REVIEW PROCESS FOR WAIKIKI PROJECTS."

Introduced by: Senator Kawamoto, by request.

No. 84 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PERMIT ASSISTANCE."

Introduced by: Senator Kawamoto, by request.

No. 85 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL IMPACT STATEMENTS LAW."

Introduced by: Senator Kawamoto, by request.

No. 86 "A BILL FOR AN ACT RELATING TO PERMIT COORDINATION."

Introduced by: Senator Kawamoto, by request.

No. 87 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Kawamoto, by request.

No. 88 "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES."

Introduced by: Senator Kawamoto, by request.

No. 89 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 90 "A BILL FOR AN ACT RELATING TO CITIZEN ENFORCEMENT."

Introduced by: Senator Levin.

No. 91 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Levin.

No. 92 "A BILL FOR AN ACT RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL."

Introduced by: Senator Levin.

No. 93 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senator Levin.

No. 94 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

Introduced by: Senator Levin, by request.

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

Introduced by: Senator Levin.

No. 96 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Senator Levin.

No. 97 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PUBLIC SCHOOL STUDENTS."

Introduced by: Senator Levin.

No. 98 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KIKALA-KEOKEA SELF HELP PROJECT."

Introduced by: Senator Levin.

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

Introduced by: Senators Hanabusa, Levin.

No. 100 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Senator Levin, by request.

No. 101 "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS."

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

No. 102 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Levin.

No. 103 "A BILL FOR AN ACT APPROPRIATING FUNDS TO IMPLEMENT THE KA'U RURAL HEALTH PLAN."

Introduced by: Senator Levin.

No. 104 "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS."

Introduced by: Senators Levin, Kanno, Taniguchi.

No. 105 "A BILL FOR AN ACT RELATING TO REFORM OF STATE GOVERNMENT."

Introduced by: Senator Tam.

No. 106 "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES."

Introduced by: Senator Tam.

No. 107 "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS."

Introduced by: Senator Slom.

No. 108 "A BILL FOR AN ACT RELATING TO PAYCHECK PROTECTION"

Introduced by: Senator Slom.

No. 109 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Slom.

No. 110 "A BILL FOR AN ACT RELATING TO THE HAWAII WATER CARRIER ACT."

Introduced by: Senator Chumbley.

No. 111 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Chumbley.

No. 112 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

- Introduced by: Senator Chumbley.
- No. 113 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."
Introduced by: Senators Chumbley, D. Ige.
- No. 114 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF CREATING A LOOKOUT AT HO'OKIPA ON THE HANA HIGHWAY."
Introduced by: Senator Chumbley.
- No. 115 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."
Introduced by: Senator Chumbley.
- No. 116 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
Introduced by: Senator Chumbley.
- No. 117 "A BILL FOR AN ACT RELATING TO HOUSEHOLD HAZARDOUS WASTE."
Introduced by: Senator Chumbley.
- No. 118 "A BILL FOR AN ACT RELATING TO HOUSEHOLD HAZARDOUS SUBSTANCE RECYCLING."
Introduced by: Senator Chumbley.
- No. 119 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS, MAINTENANCE, AND IMPROVEMENTS."
Introduced by: Senators Chumbley, D. Ige.
- No. 120 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI FOOD BANK, INC."
Introduced by: Senators Chumbley, Chun.
- No. 121 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
Introduced by: Senator Chumbley.
- No. 122 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN AND DEVELOP THE HAWAII GERIATRIC RESEARCH AND TRAINING CENTER AT KULA HOSPITAL."
Introduced by: Senator Chumbley.
- No. 123 "A BILL FOR AN ACT RELATING TO COUNTY PROPERTY TAX ASSESSMENTS."
Introduced by: Senator Chumbley.
- No. 124 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE."
Introduced by: Senator Chumbley.
- No. 125 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."
Introduced by: Senator Chumbley.
- No. 126 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION TO FUND AN ATTENTION DEFICIT DISORDER PROGRAM."
Introduced by: Senators Chumbley, D. Ige.
- No. 127 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES."
Introduced by: Senators Chun Oakland, Inouye.
- No. 128 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A LONG TERM CARE VOLUNTEER OMBUDSMAN PROGRAM."
Introduced by: Senators Chun Oakland, Hanabusa.
- No. 129 "A BILL FOR AN ACT RELATING TO THE DISABLED."
Introduced by: Senator Chun Oakland.
- No. 130 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION."
Introduced by: Senator Chun Oakland.
- No. 131 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
Introduced by: Senator Chun Oakland.
- No. 132 "A BILL FOR AN ACT RELATING TO COUNTY BUILDING PERMITS."
Introduced by: Senator Chun Oakland.
- No. 133 "A BILL FOR AN ACT RELATING TO MEDICAL PROFESSIONAL LICENSING."
Introduced by: Senator Chun Oakland.
- No. 134 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."
Introduced by: Senator Chun Oakland.
- No. 135 "A BILL FOR AN ACT RELATING TO TEACHERS."
Introduced by: Senator Chun Oakland.
- No. 136 "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION."
Introduced by: Senator Chun Oakland.
- No. 137 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH CARE SERVICES FOR THE UNINSURED."
Introduced by: Senator Chun Oakland.
- No. 138 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Chun Oakland.
- No. 139 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII STATE BREAST AND CERVICAL CANCER SCREENING AFTER CARE PROGRAM."
Introduced by: Senators Chun Oakland, Hanabusa.

- No. 140 "A BILL FOR AN ACT RELATING TO HAWAII PROCUREMENT CODE."
Introduced by: Senators Chun Oakland, Hanabusa, Inouye.
- No. 141 "A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Senator Chun Oakland.
- No. 142 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ARTS EDUCATION."
Introduced by: Senators Chun Oakland, Hanabusa.
- No. 143 "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES."
Introduced by: Senators Chun Oakland, by request, Hanabusa.
- No. 144 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Chun Oakland, Hanabusa.
- No. 145 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."
Introduced by: Senators Chun Oakland, Inouye.
- No. 146 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS."
Introduced by: Senators Chun Oakland, Hanabusa.
- No. 147 "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW."
Introduced by: Senators Chun Oakland, Hanabusa, Inouye.
- No. 148 "A BILL FOR AN ACT RELATING TO HOUSING AND COMMUNITY DEVELOPMENT."
Introduced by: Senator Chun Oakland.
- No. 149 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE CARE SERVICES FOR FAMILIES OF INDIVIDUALS WITH SPECIAL NEEDS."
Introduced by: Senator Chun Oakland.
- No. 150 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Chun Oakland.
- No. 151 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT."
Introduced by: Senator Chun Oakland.
- No. 152 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."
Introduced by: Senator Chun Oakland.
- No. 153 "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES."
Introduced by: Senator Chun Oakland.
- No. 154 "A BILL FOR AN ACT RELATING TO DISABILITIES."
Introduced by: Senator Chun Oakland.
- No. 155 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
Introduced by: Senator Chun Oakland.
- No. 156 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Senator Chun Oakland.
- No. 157 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS."
Introduced by: Senator Chun Oakland.
- No. 158 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."
Introduced by: Senator Chun Oakland.
- No. 159 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND."
Introduced by: Senator Chun Oakland.
- No. 160 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."
Introduced by: Senator Chun Oakland.
- No. 161 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."
Introduced by: Senators Kawamoto, Chun Oakland, Kanno, Fukunaga.
- No. 162 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY."
Introduced by: Senators Kawamoto, Chumbley, Buen, Levin, Kanno, Fukunaga.
- No. 163 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."
Introduced by: Senators Chun Oakland, Levin, Kanno, Fukunaga.
- No. 164 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."
Introduced by: Senators Chun Oakland, Kanno, Fukunaga.
- No. 165 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."
Introduced by: Senators Chun Oakland, Levin, Kanno, Fukunaga.
- No. 166 "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS."
Introduced by: Senators Chun Oakland, Chumbley, Nakata, Tam, Chun, Levin, Kanno, Fukunaga, Hanabusa.
- No. 167 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Nakata, Buen, Kanno, Hanabusa, Fukunaga.

No. 168 "A BILL FOR AN ACT RELATING TO TOBACCO TAX."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Tam, Levin, Kanno, Fukunaga, Hanabusa.

No. 169 "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO PRODUCTS."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Levin, Kanno, Hanabusa, Fukunaga.

No. 170 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NEEDS AND RIGHTS OF CHILDREN."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Tam, Kanno, Hanabusa.

No. 171 "A BILL FOR AN ACT RELATING TO WELFARE REFORM."

Introduced by: Senators Chun Oakland, Chumbley, Kanno, Nakata, Hanabusa, Levin.

No. 172 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM."

Introduced by: Senators Chun Oakland, Chumbley, Levin, Kanno, Buen, Hanabusa.

No. 173 "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Tam, Kanno, Hanabusa.

No. 174 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Tam, Kanno, Hanabusa.

No. 175 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES."

Introduced by: Senators Chun Oakland, Chumbley, Buen, Tam, Kanno, Hanabusa.

No. 176 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Tam, Kanno, Hanabusa, Fukunaga.

No. 177 "A BILL FOR AN ACT RELATING TO FAMILIES."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Fukunaga, Tam, Levin, Kanno, Hanabusa.

No. 178 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTHY START."

Introduced by: Senators Chun Oakland, Chumbley, Buen, Tam, Levin, Kanno, Chun, Fukunaga, Hanabusa.

No. 179 "A BILL FOR AN ACT RELATING TO THE PREVENTION OF PHYSICAL AND SEXUAL VIOLENCE."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Tam, Kanno, Hanabusa.

No. 180 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Tam, Levin, Kanno, Fukunaga, Hanabusa.

No. 181 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Senators Chun Oakland, Nakata, Levin, Kanno, Hanabusa, Fukunaga.

No. 182 "A BILL FOR AN ACT RELATING TO STORAGE OF FIREARMS."

Introduced by: Senators Chun Oakland, Nakata, Kanno, Hanabusa, Fukunaga.

No. 183 "A BILL FOR AN ACT RELATING TO EDUCATION."

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

No. 184 "A BILL FOR AN ACT RELATING TO EDUCATION."

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

No. 185 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Chumbley, Levin, Tam, Kanno, Fukunaga.

No. 186 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Chun, Levin, Fukunaga.

No. 187 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERMEDIATE AND MIDDLE SCHOOL YOUTH PROGRAMS."

Introduced by: Senators Chun Oakland, Chumbley, Tam, Kanno, Hanabusa.

No. 188 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII NATIONAL GUARD YOUTH CHALLENGE PROGRAM."

Introduced by: Senators Chun Oakland, Chumbley, Hanabusa, Tam, Kanno.

No. 189 "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT."

Introduced by: Senators Chun Oakland, Chumbley, Kanno, Hanabusa, Fukunaga.

No. 190 "A BILL FOR AN ACT RELATING TO PREGNANT WOMEN AND INFANTS."

Introduced by: Senators Chun Oakland, Chumbley, Levin, Kanno, Fukunaga.

No. 191 "A BILL FOR AN ACT RELATING TO CHILDREN AND FAMILIES."

Introduced by: Senators Chun Oakland, Chumbley, Tam, Kanno, Hanabusa.

No. 192 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD."

Introduced by: Senators Chun Oakland, Chumbley, Nakata, Buen, Tam, Kanno, Hanabusa.

No. 193 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators Chumbley, Matsunaga.

No. 194 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator Mizuguchi.

No. 195 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi.

No. 196 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 197 "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES."

Introduced by: Senator Mizuguchi, by request.

No. 198 "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW."

Introduced by: Senator Mizuguchi.

No. 199 "A BILL FOR AN ACT RELATING TO EMPLOYEE LEASING COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 200 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION."

Introduced by: Senators Mizuguchi, Kanno, Kawamoto.

No. 201 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING."

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 22, 1999.

THIRD DAY

Friday, January 22, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Claudia Wong of the Roman Catholic Church, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Tanaka 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. 31 to 94) were read by the Clerk and were placed on file:

Gov. Msg. No. 31, dated December 8, 1998, transmitting a report, "Federal Fund Reimbursements," prepared by the Department of Transportation pursuant to Act 116, Sections 188.1, 207 and 211, SLH 1998.

Gov. Msg. No. 32, dated December 8, 1998, transmitting a report, "Contract Provisions to Require Contractors to Haul Green Waste to Compost Companies," prepared by the Department of Transportation in consultation with the Department of Accounting and General Services and the Department of Land and Natural Resources, pursuant to S.C.R. No. 81 (1998).

Gov. Msg. No. 33, dated December 14, 1998, transmitting a report on the Task Force on Beach and Water Safety, prepared by the Department of Land and Natural Resources, Division of State Parks, pursuant to Act 190, SLH 1996.

Gov. Msg. No. 34, dated December 14, 1998, transmitting the Report on the Pilot Project for the Use of State Parks as Scenic Viewing Sites, prepared by the Department of Land and Natural Resources, Division of State Parks, in conjunction with the Department of Business, Economic Development and Tourism, pursuant to Act 116, SLH 1998.

Gov. Msg. No. 35, dated December 14, 1998, transmitting the Office of Information Practices' 1998 Annual Report for the fiscal year ending June 30, 1998.

Gov. Msg. No. 36, dated December 14, 1998, transmitting a report on the updated listing of all leases centralized within the Department of Accounting and General Services for other state agencies, prepared by the Department of Accounting and General Services pursuant to Act 328, Section 137, SLH 1997.

Gov. Msg. No. 37, dated December 14, 1998, transmitting the State Foundation on Culture and the Arts Report on Federal Funds Received - Budget Proviso Act 328, Section 211, SLH 1997 and Budget Proviso Act 116, Section 188.1, SLH 1998.

Gov. Msg. No. 38, dated December 14, 1998, transmitting a report, "Appropriation for Building Repairs and Alterations," prepared by the Department of Accounting and General Services pursuant to Act 116, Section 139, SLH 1998.

Gov. Msg. No. 39, dated December 14, 1998, transmitting the "Annual Report of the Interagency Federal Revenue Maximization Revolving Fund for Fiscal Year 1997-1998," prepared by the Department of Accounting and General Services pursuant to Section 29-24, HRS.

Gov. Msg. No. 40, dated December 14, 1998, transmitting a report, "Summary of Procurement Actions (\$25,000 or more) July 1, 1997 to June 30, 1998," prepared by the Department of

Accounting and General Services, State Procurement Office, pursuant to Section 103D-321, HRS.

Gov. Msg. No. 41, dated December 14, 1998, transmitting the project-funded staff services budget report for the period July 1, 1998 to June 30, 1999, prepared by the Department of Accounting and General Services pursuant to Act 116, Section 156, SLH 1998.

Gov. Msg. No. 42, dated December 14, 1998, transmitting the "Annual Report of Stadium Authority, Stadium Special Fund Statement of Receipts, Expenditures and Transfers for the Fiscal Year Ended June 30, 1998," prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS.

Gov. Msg. No. 43, dated December 14, 1998, transmitting the "Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 1997-1998," prepared by the Department of Accounting and General Services pursuant to Section 36-32, HRS.

Gov. Msg. No. 44, dated December 14, 1998, transmitting the 1998 Report prepared by the Department of Accounting and General Services, Information and Communication Services Division, pursuant to Act 328, Section 131, SLH 1997.

Gov. Msg. No. 45, dated December 14, 1998, transmitting the "Report on the Sale of Certificates of Participation By an Executive Branch Agency," prepared by the Department of Accounting and General Services pursuant to Act 116, Section 181.2, SLH 1998.

Gov. Msg. No. 46, dated December 14, 1998, transmitting the "Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 1997-1998," prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 47, dated December 14, 1998, transmitting the 1998 Annual Report prepared by the Civil Rights Commission, pursuant to Section 368-3 and 515-9, HRS.

Gov. Msg. No. 48, dated December 14, 1998, transmitting the Report On the Planning and Implementation of Beach Restoration and Nourishment Projects in Hawaii, prepared by the Department of Land and Natural Resources, Land Division, pursuant to H.C.R. No. 69 (1998).

Gov. Msg. No. 49, dated December 14, 1998, transmitting the Report on the Expenditure of Funds and Progress in the Computerization of the Land Division, prepared by the Department of Land and Natural Resources, Land Division, pursuant to Act 116, Section 4, SLH 1998.

Gov. Msg. No. 50, dated December 14, 1998, transmitting the Report on the Progress Made on Implementing The Auditor's recommendations of the Management of Mauna Kea and The Mauna Kea Science Reserve, prepared by the Department of Land and Natural Resources, Land Division, pursuant to S.C.R. No. 171 (1998).

Gov. Msg. No. 51, dated December 14, 1998, transmitting the Report on the Progress of Completing a Comprehensive Inventory and May Database of Ceded Lands, prepared by the Department of Land and Natural Resources, Land Division, pursuant to Act 329, SLH 1997.

Gov. Msg. No. 52, dated December 14, 1998, transmitting the Annual Report on the Hawaii Statewide Trail and Access System, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9, HRS.

Gov. Msg. No. 53, dated December 14, 1998, transmitting the 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. 54, dated December 14, 1998, transmitting the Report on the Status of the Issuance of Incidental Take Licenses for Endangered Species and the Condition of the Endangered Species Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 55, dated December 14, 1998, transmitting the Annual Report on the Wildlife Revolving Fund, 1997-1998, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 56, dated December 14, 1998, transmitting the Annual Report on 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. 57, dated December 14, 1998, transmitting the Report on the North Shore Paukauila Streambank Erosion and Riparian Area Community Project, prepared by the Department of Land and Natural Resources, Land Division, pursuant to S.C.R. No. 223 (1995).

Gov. Msg. No. 58, dated December 14, 1998, transmitting the 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. 59, dated December 14, 1998, transmitting the Report on the 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. 60, dated December 14, 1998, transmitting the Report on Project-Funded Staff Services Budget, prepared by the Department of Land and Natural Resources, Administrative Services Office, pursuant to Act 328, Section 153, SLH 1997.

Gov. Msg. No. 61, dated December 14, 1998, transmitting the Report on all Federal Funds Actually Received or Expected for Fiscal Year 1999, prepared by the Department of Land and Natural Resources, Administrative Services Office, pursuant to Act 116, Section 188.1, SLH 1998.

Gov. Msg. No. 62, dated December 14, 1998, transmitting the Report on All Special, Trust, and Revolving Fund Transactions Carried Out Over the Previous Fiscal Year, prepared by the Department of Land and Natural Resources, Administrative Services Office, pursuant to H.C.R. No. 125 (1993).

Gov. Msg. No. 63, dated December 14, 1998, transmitting the Report on the Hawaii Historic Preservation Fund for Fiscal Year 1997-1998, prepared by the Department of Land and Natural Resources, Historic Preservation Division, pursuant to Section 6E-3, HRS.

Gov. Msg. No. 64, dated December 16, 1998, transmitting the Department of Public Safety's detailed expenditure and status report on forty-five temporary positions for Hawaii's Correctional Industries program for fiscal year 1998-1999, pursuant to Act 170, Section 3, SLH 1995.

Gov. Msg. No. 65, dated December 16, 1998, transmitting a report prepared by the Department of Public Safety, Narcotics Enforcement Division, pursuant to Section 329-11, HRS, relating to controlled substances.

Gov. Msg. No. 66, dated December 16, 1998, transmitting a status report by the Department of Public Safety on Federal Reimbursements Received, pursuant to Act 116, Section 188.1, SLH 1998.

Gov. Msg. No. 67, dated December 16, 1998, transmitting the Hawaii Paroling Authority's review on inmate Carl Richie's case should he be paroled, pursuant to S.C.R. No. 200 (1998).

Gov. Msg. No. 68, dated December 16, 1998, transmitting a status report by the Department of Public Safety on Federal Reimbursements Received, pursuant to Act 328, Section 207, SLH 1997.

Gov. Msg. No. 69, dated December 16, 1998, transmitting the Department of Public Safety's report on the recidivism rate of pretrial inmates released under the program, pursuant to Act 227, Section 2, SLH 1998.

Gov. Msg. No. 70, dated December 16, 1998, transmitting the Criminal Injuries Compensation Commission's Thirty-first Annual Report, July 1, 1997 - June 30, 1998, pursuant to Chapter 351, HRS.

Gov. Msg. No. 71, dated December 17, 1998, transmitting the University of Hawaii's Annual Report on the Research and Training Revolving Fund.

Gov. Msg. No. 72, dated December 17, 1998, transmitting a report, "The Hawaii Maritime Authority Commission," prepared by the Department of Transportation pursuant to Act 183, SLH 1998.

Gov. Msg. No. 73, dated December 17, 1998, 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. 74, dated December 17, 1998, transmitting the University of Hawaii's Annual Report on the Discoveries and Inventions Revolving Fund, pursuant Section 304-8.92, HRS.

Gov. Msg. No. 75, dated December 17, 1998, transmitting the University of Hawaii's Report on Decentralized Decision-Making in the University of Hawaii System, pursuant to Act 115, Section 27, SLH 1998.

Gov. Msg. No. 76, dated December 17, 1998, transmitting the University of Hawaii's Report on the FY 1997-1998 Expenditures of University of Hawaii Tuition and Fees Special Funds to Generate Private Donations, pursuant to Section 304-16.5, HRS.

Gov. Msg. No. 77, dated December 17, 1998, transmitting the University of Hawaii's 1997-1998 Report on Tuition Waivers, pursuant to Section 304-16.5, HRS.

Gov. Msg. No. 78, dated December 17, 1998, transmitting a report prepared by the University of Hawaii in response to H.C.R. No. 177 (1998), Requesting the Implementation of the Auditor's Recommendations of the Management of Mauna Kea and the Mauna Kea Science Reserve.

Gov. Msg. No. 79, dated December 17, 1998, transmitting a report prepared by the Department of Human Services, Med-QUEST Division, pursuant to H.C.R. No. 121 (1998), on the development of a universal health coverage plan for all Hawaii's children.

Gov. Msg. No. 80, dated December 17, 1998, transmitting a report prepared by the Department of Accounting and General Services, Information and Communication Services Division, pursuant to Act 213, SLH 1998.

Gov. Msg. No. 81, dated December 18, 1998, transmitting the "Report on Purchase of Bulk Compost and Soil Amendments - July 1, 1998 to November 30, 1998," prepared by the Department of Accounting and General Services pursuant to S.C.R. No. 81 (1998).

Gov. Msg. No. 82, dated December 18, 1998, transmitting a report prepared by the Department of Health on the status of the environmental health fund as established by Act 189, SLH 1994.

Gov. Msg. No. 83, dated December 21, 1998, transmitting the "Report on the Feasibility of Establishing Motor Vehicle Insurance Premium Reductions for Driver's Education Course Graduates," prepared by the Department of Commerce and Consumer Affairs pursuant to H.C.R. No. 117 (1998).

Gov. Msg. No. 84, dated December 21, 1998, transmitting the "Report of the Insurance Commissioner of Hawaii 1998, Summary of Insurance Business for the Year 1997," pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 85, dated December 21, 1998, transmitting the Annual Report of the Hawaii State Coordinating Council on Deafness for fiscal year 1997-1998.

Gov. Msg. No. 86, dated December 21, 1998, transmitting a report on the Well-Being of Children and Families in response to H.C.R. No. 38 (1998), establishing a state policy for improving the well-being of children, youth and families.

Gov. Msg. No. 87, dated December 21, 1998, transmitting a report on the Good Beginnings Initiative, prepared by The Good Beginnings Interdepartmental Council and The Good Beginnings Alliance pursuant to Act 77, SLH 1997.

Gov. Msg. No. 88, dated December 21, 1998, transmitting the Hawaii Community Development Authority's project-funded staff services budget report, pursuant to Act 328, Section 155, SLH 1997.

Gov. Msg. No. 89, dated December 21, 1998, transmitting a report, "Review of Hawaii's Impaired Driving Statutes and Recommendations for Uniform Statutory Construction," prepared by the Department of Transportation with assistance from the Legislative Reference Bureau pursuant to H.C.R. No. 26 (1998).

Gov. Msg. No. 90, dated December 21, 1998, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2000-05, pursuant to Sections 37-69 and 37-71, HRS, and The Variance Report for FY 1998-1999, pursuant to Section 37-75, HRS.

Gov. Msg. No. 91, dated December 23, 1998, transmitting the Final Report on How the Commercial Forest Industry and the Hilo-Hamakua Community Can Work Together to Help Determine Future Options for the Community, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to H.C.R. No. 257 (1997).

Gov. Msg. No. 92, dated December 28, 1998, transmitting a report prepared by the Department of Health and the Department of Human Services in response to S.C.R. No. 196 (1998), requesting the Department of Human Services and the Department of Health to examine ways to eliminate duplication of the administration and provision of home- and community-based programs and services by the two departments.

Gov. Msg. No. 93, dated December 28, 1998, 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, and to report annually to the legislature the number of persons waiting for services and supports and the reasons for lack of services and supports.

Gov. Msg. No. 94, dated December 28, 1998, transmitting the "Hawaii Climate Change Action Plan," prepared by the Department of Business, Economic Development and Tourism, State of Hawaii's Energy, Resources, and Technology Division, and the Department of Health, Clean Air Branch.

HOUSE COMMUNICATION

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 21, 1999, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 4 to 26) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 4 "SENATE CONCURRENT RESOLUTION OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS."

Offered by: Senator Chun Oakland.

No. 5 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A STATE TASK FORCE TO STUDY THE REGULATION OF THE HEALTH PROFESSIONS AND REPORT RECOMMENDATIONS TO BETTER PROTECT HEALTH CARE CONSUMERS."

Offered by: Senator Chun Oakland.

No. 6 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE AND SCHOOL OF NURSING TO REQUIRE COURSES IN PALLIATIVE CARE AND PAIN MANAGEMENT IN THEIR CURRICULA."

Offered by: Senator Chun Oakland.

No. 7 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO CONSIDER REQUIRING MANDATORY FAMILY AND PARENTING CLASSES FOR HIGH SCHOOL STUDENTS."

Offered by: Senators Chun Oakland, Buen, Levin, Kanno, Hanabusa, Fukunaga.

No. 8 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO PROVIDE A PERMANENT EXHIBITION SPACE FOR THE STATE ART COLLECTION."

Offered by: Senators Ihara, by request, Chun, by request.

No. 9 "SENATE CONCURRENT RESOLUTION URGING INCREASED AID FOR DOMESTIC VIOLENCE VICTIMS."

Offered by: Senators Ihara, by request, Chun, by request.

No. 10 "SENATE CONCURRENT RESOLUTION REQUESTING THE EAST-WEST CENTER TO ESTABLISH AN 'ASIA PACIFIC CENTER' TO SERVE AS A CLEARINGHOUSE FOR DOING BUSINESS IN ASIA AND THE UNITED STATES."

Offered by: Senators Ihara, by request, Chun, by request.

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF INITIATIVES TO FACILITATE THE GROWTH OF HAWAII'S BIOTECHNOLOGY INDUSTRY."

Offered by: Senators Ihara, by request, Chun, by request.

No. 12 "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE FEDERAL MILLION SOLAR ROOFS INITIATIVE."

Offered by: Senators Ihara, by request, Chun, by request.

No. 13 "SENATE CONCURRENT RESOLUTION SUPPORTING CONTINUING EFFORTS TO DEVELOP HILO'S BAYFRONT."

Offered by: Senators Ihara, by request, Chun, by request.

No. 14 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO SUBMIT LEGISLATION TO PROMOTE COMPETITION FOR PROVIDING ELECTRICITY IN THE STATE."

Offered by: Senators Ihara, by request, Chun, by request.

No. 15 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING HEALTH AND WELLNESS CENTERS USING NATURAL RESOURCES ON THE ISLAND OF HAWAII."

Offered by: Senators Ihara, by request, Chun, by request.

No. 16 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO STRENGTHEN ITS ATTEMPTS TO DEAL WITH PRISON OVERCROWDING."

Offered by: Senator Ihara, by request, Chun, by request.

No. 17 "SENATE CONCURRENT RESOLUTION URGING A MORATORIUM ON LEGISLATION TO LEGALIZE ANY FORM OF GAMBLING IN HAWAII UNTIL THE NATIONAL GAMBLING IMPACT STUDY COMMISSION SUBMITS ITS FINAL REPORT."

Offered by: Senators Ihara, by request, Chun, by request.

No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES."

Offered by: Senators Ihara, by request, Chun, by request.

No. 19 "SENATE CONCURRENT RESOLUTION ENCOURAGING GREATER AVAILABILITY OF CABLE ACCESS AND ADVANCED TELECOMMUNICATIONS INFRASTRUCTURE IN REMOTE RURAL AREAS."

Offered by: Senators Ihara, by request, Chun, by request.

No. 20 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986."

Offered by: Senators Ihara, by request, Chun, by request.

No. 21 "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO ENSURE EQUITY IN THE GRANTING OF FEDERAL

CONSTRUCTION CONTRACTS TO LOCAL COMPANIES."

Offered by: Senators Ihara, by request, Chun, by request.

No. 22 "SENATE CONCURRENT RESOLUTION RELATING TO SELF-DETERMINATION FOR NATIVE HAWAIIANS."

Offered by: Senators Ihara, by request, Chun, by request.

No. 23 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CREATE A BRANCH WITHIN THE RESEARCH AND ECONOMIC ANALYSIS DIVISION DEVOTED TO RESEARCH AND PROMOTION EFFORTS IN SUPPORT OF HAWAII'S CONSTRUCTION INDUSTRY."

Offered by: Senator Kawamoto.

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON IMPROVING TRANSPORTATION AND THE TRAFFIC FLOW FROM THE FORT SHAFTER AND AIRPORT AREAS TO DOWNTOWN."

Offered by: Senator Kawamoto.

No. 25 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO CONDUCT A STUDY ON MAXIMIZING UTILIZATION OF THE ZIPPER AND HIGH OCCUPANCY VEHICLE LANES."

Offered by: Senator Kawamoto.

No. 26 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS."

Offered by: Senators Taniguchi, Kanno.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 4 to 8) were read by the Clerk and were deferred:

Senate Resolution

No. 4 "SENATE RESOLUTION SUPPORTING CONTINUING EFFORTS TO DEVELOP HILO'S BAYFRONT."

Offered by: Senators Ihara, by request, Chun, by request.

No. 5 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES TO CONVENE A TASK FORCE IN ORDER TO DETERMINE THE BEST ALTERNATIVE FOR ELIMINATING THE HOMELESS IN CHINATOWN."

Offered by: Senator Tam.

No. 6 "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CREATE A BRANCH WITHIN THE RESEARCH AND ECONOMIC ANALYSIS DIVISION DEVOTED TO RESEARCH AND PROMOTION EFFORTS IN SUPPORT OF HAWAII'S CONSTRUCTION INDUSTRY."

Offered by: Senator Kawamoto.

No. 7 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON IMPROVING TRANSPORTATION AND THE TRAFFIC FLOW FROM THE FORT SHAFTER AND AIRPORT AREAS TO DOWNTOWN."

Offered by: Senator Kawamoto.

No. 8 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO CONDUCT A STUDY ON MAXIMIZING UTILIZATION OF THE ZIPPER AND HIGH OCCUPANCY VEHICLE LANES."

Offered by: Senator Kawamoto.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 21, 1999:

Senate Bill Referred to:

No. 42 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 43 Committee on Education and Technology, then to the Committee on Ways and Means

No. 44 Committee on Ways and Means

No. 45 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 46 Committee on Education and Technology, then to the Committee on Ways and Means

No. 47 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 48 Committee on Economic Development, then to the Committee on Ways and Means

No. 49 Committee on Ways and Means

No. 50 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 51 Committee on Commerce and Consumer Protection

No. 52 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. 53 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 54 Committee on Judiciary

No. 55 Committee on Ways and Means

No. 56 Committee on Ways and Means

No. 57 Committee on Ways and Means

No. 58 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 59 Committee on Government Operations and Housing

No. 60 Committee on Ways and Means

No. 61 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 62 Committee on Judiciary

No. 63 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 64 Committee on Health and Human Services, then to the Committee on Judiciary

No. 65 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Labor and Environment

No. 66 Committee on Education and Technology, then to the Committee on Ways and Means

No. 67 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 68 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 69 Committee on Judiciary, then to the Committee on Ways and Means

No. 70 Committee on Judiciary, then to the Committee on Ways and Means

No. 71 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 72 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 73 Committee on Labor and Environment, then to the Committee on Judiciary

No. 74 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 75 Committee on Ways and Means

No. 76 Committee on Ways and Means

No. 77 Committee on Economic Development, then to the Committee on Judiciary

No. 78 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 79 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 80 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Labor and Environment

No. 81 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 82 Committee on Education and Technology, then to the Committee on Ways and Means

No. 83 Committee on Economic Development, then to the Committee on Ways and Means

- No. 84 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 85 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 86 Committee on Economic Development, then to the Committee on Ways and Means
- No. 87 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 88 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 89 Committee on Ways and Means
- No. 90 Committee on Judiciary
- No. 91 Committee on Labor and Environment, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 92 Committee on Water, Land, and Hawaiian Affairs
- No. 93 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 94 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 95 Committee on Commerce and Consumer Protection
- No. 96 Committee on Economic Development
- No. 97 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 98 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. 99 Committee on Economic Development, then to the Committee on Ways and Means
- No. 100 Committee on Judiciary
- No. 101 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 102 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 103 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 104 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 105 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 106 Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 107 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 108 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 109 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 110 Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
- No. 111 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. 112 Committee on Government Operations and Housing
- No. 113 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 114 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 115 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 116 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 117 Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 118 Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 119 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 120 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 121 Committee on Transportation and Intergovernmental Affairs
- No. 122 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 123 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 124 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 125 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 126 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 127 Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 128 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 129 Jointly to the Committee on Health and Human Services and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 130 Committee on Health and Human Services, then to the Committee on Ways and Means

- No. 131 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 132 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
- No. 133 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 134 Committee on Commerce and Consumer Protection
- No. 135 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 136 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 137 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 138 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 139 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 140 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 141 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 142 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 143 Committee on Commerce and Consumer Protection
- No. 144 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 145 Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 146 Committee on Ways and Means
- No. 147 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 148 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 149 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 150 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 151 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 152 Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 153 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 154 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 155 Committee on Transportation and Intergovernmental Affairs
- No. 156 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 157 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 158 Committee on Labor and Environment
- No. 159 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 160 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 161 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 162 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 163 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 164 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 165 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 166 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 167 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 168 Committee on Ways and Means
- No. 169 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 170 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 171 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 172 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 173 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 174 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 175 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 176 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 177 Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 178 Committee on Health and Human Services, then to the Committee on Ways and Means

- No. 179 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 180 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 181 Committee on Judiciary
- No. 182 Committee on Judiciary
- No. 183 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 184 Committee on Education and Technology, then to the Committee on Judiciary
- No. 185 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 186 Committee on Judiciary
- No. 187 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 188 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 189 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 190 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 191 Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 192 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 193 Committee on Judiciary, then to the Committee on Ways and Means
- No. 194 Committee on Ways and Means
- No. 195 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 196 Committee on Ways and Means
- No. 197 Committee on Judiciary
- No. 198 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 199 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 200 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 201 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, January 21, 1999:

Senate
Concurrent
Resolution Referred to:

No. 2 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 3 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 Thursday, January 21, 1999:

Senate Resolution Referred to:

No. 3 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Just a comment on the item that was in the paper yesterday regarding the Waiahole Ditch, which the Minority Leader did speak about on opening day, but just to reinforce this, particularly, for some of our new colleagues here.

"Last year I raised several questions about the purchase of that ditch. I asked for budgetary information which was not available at the time we were asked for money. I asked about the operations and the maintenance and the repair of the ditch, which was not discussed at the time that we were asked to fund \$10 million. And everybody talked about how easy it was going to be. The deal was supposed to be consummated in July of last year, and now we're at the end of January of this year. The deal has still not been consummated because there is a difficulty and a dispute involving the land owner, Castle & Cooke, and Amfac/JMB. It involves lease; it involves easements; it involves water usage.

"I mention these points because we're going to be faced with a lot of legislation again this year. We're going to be asked for appropriations. We're going to be asked to vote on things. And I would only ask that my colleagues, again, use their discretion and ask for, and get answers before we appropriate any more of the people's money, and make sure that any of the projects that we term as investments are very sound and that all of the problems have been worked out before we give our stamp of approval.

"Thank you, Mr. President."

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 9:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:47 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 202 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE RENTAL HOUSING TRUST FUND."

Introduced by: Senator Tam.

No. 203 "A BILL FOR AN ACT RELATING TO HIGH-TECHNOLOGY INVESTMENT."

Introduced by: Senators Nakata, Fukunaga, Hanabusa, D. Ige, Ihara, Levin, Taniguchi.

No. 204 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Nakata, Fukunaga, D. Ige, Ihara, Levin, Taniguchi.

No. 205 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senators Nakata, Levin.

No. 206 "A BILL FOR AN ACT RELATING TO WAGES AND COMPENSATION."

Introduced by: Senators Nakata, Kanno, Levin, Taniguchi.

No. 207 "A BILL FOR AN ACT RELATING TO WASTEWATER."

Introduced by: Senators Nakata, Fukunaga, Hanabusa, D. Ige, Ihara, Levin, Taniguchi.

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

Introduced by: Senator Nakata, by request.

No. 209 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Nakata, by request.

No. 210 "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT."

Introduced by: Senators Nakata, Fukunaga, Hanabusa, D. Ige, Ihara, Levin, Taniguchi.

No. 211 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Nakata.

No. 212 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Kanno.

No. 213 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Kanno.

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

Introduced by: Senator Kanno.

No. 215 "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Senator Kanno.

No. 216 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI ACADEMY OF PERFORMING ARTS."

Introduced by: Senator Tanaka.

No. 217 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER, HEALTH AND WELLNESS CENTER."

Introduced by: Senator Tanaka.

No. 218 "A BILL FOR AN ACT RELATING TO WATER CONSERVATION."

Introduced by: Senator Inouye.

No. 219 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COFFEE INSPECTION REVOLVING FUND TO PROVIDE ADDITIONAL INSPECTORS."

Introduced by: Senator Inouye.

No. 220 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Inouye.

No. 221 "A BILL FOR AN ACT RELATING TO EMPLOYMENT AND COVERAGE."

Introduced by: Senator Inouye.

No. 222 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII AGRICULTURE RESEARCH CENTER."

Introduced by: Senator Inouye.

No. 223 "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY."

Introduced by: Senators Chumbley, Matsunaga.

No. 224 "A BILL FOR AN ACT RELATING TO REAL PROPERTY ENCROACHMENT."

Introduced by: Senators Chumbley, Matsunaga.

No. 225 "A BILL FOR AN ACT RELATING TO AMBULANCE SERVICES."

Introduced by: Senators Chumbley, Tanaka.

No. 226 "A BILL FOR AN ACT RELATING TO PUBLIC LAND."

Introduced by: Senators Chumbley, Chun, Tanaka, Buen.

No. 227 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senators Chumbley, Chun.

No. 228 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH MAUI FOOD BANK, INC."

Introduced by: Senators Chumbley, Tanaka.

No. 229 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH."

Introduced by: Senators Chumbley, Chun, Tanaka.

No. 230 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE PEST CONTROL RESEARCH."

Introduced by: Senators Chumbley, Tanaka.

No. 231 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTROL PLANT PESTS."

- Introduced by: Senators Chumbley, Tanaka.
- No. 232 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES."
- Introduced by: Senator Chumbley.
- No. 233 "A BILL FOR AN ACT RELATING TO A STUDY OF LATEX PRODUCTS IN HAWAII BY THE DEPARTMENT OF HEALTH."
- Introduced by: Senator Kanno.
- No. 234 "A BILL FOR AN ACT RELATING TO THE USE OF LEGISLATIVE ALLOWANCES."
- Introduced by: Senators Kanno, Matsunaga.
- No. 235 "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW."
- Introduced by: Senators Kanno, Fukunaga, Taniguchi.
- No. 236 "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES."
- Introduced by: Senator Kanno.
- No. 237 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A RECODIFICATION REVIEW OF THE CONDOMINIUM PROPERTY REGIMES LAW."
- Introduced by: Senators Kanno, Fukunaga, Levin, Taniguchi.
- No. 238 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."
- Introduced by: Senators Kanno, Fukunaga, Taniguchi.
- No. 239 "A BILL FOR AN ACT RELATING TO BANKING."
- Introduced by: Senators Ihara, by request, Chun.
- No. 240 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senators Ihara, by request, Chun.
- No. 241 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Ihara, by request, Chun.
- No. 242 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 243 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."
- Introduced by: Senators Ihara, by request, Chun.
- No. 244 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 245 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 246 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
- Introduced by: Senators Ihara, by request, Chun.
- No. 247 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
- Introduced by: Senators Ihara, by request, Chun.
- No. 248 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 249 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Ihara, by request, Chun.
- No. 250 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Ihara, by request, Chun.
- No. 251 "A BILL FOR AN ACT RELATING TO INSURANCE."
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- No. 252 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Ihara, by request, Chun.
- No. 253 "A BILL FOR AN ACT RELATING TO INTERSTATE BANKING."
- Introduced by: Senators Ihara, by request, Chun.
- No. 254 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 255 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 256 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 257 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 258 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."
- Introduced by: Senators Ihara, by request, Chun.
- No. 259 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senators Ihara, by request, Chun.
- No. 260 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senators Ihara, by request, Chun.

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

Introduced by: Senators Ihara, by request, Chun.

No. 262 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 263 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Ihara, by request, Chun.

No. 264 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Ihara, by request, Chun.

No. 265 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Ihara, by request, Chun.

No. 266 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senators Ihara, by request, Chun.

No. 267 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senators Ihara, by request, Chun.

No. 268 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Ihara, by request, Chun.

No. 269 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Ihara, by request, Chun.

No. 270 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, by request, Chun.

No. 271 "A BILL FOR AN ACT RELATING TO ARTS."

Introduced by: Senators Ihara, by request, Chun.

No. 272 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senators Ihara, by request, Chun.

No. 273 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senators Ihara, by request, Chun.

No. 274 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 275 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 276 "A BILL FOR AN ACT RELATING TO EDUCATION."

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No. 277 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 278 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 279 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 280 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators Ihara, by request, Chun.

No. 281 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."

Introduced by: Senators Ihara, by request, Chun.

No. 282 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."

Introduced by: Senators Ihara, by request, Chun.

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

Introduced by: Senators Ihara, by request, Chun.

No. 284 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators Ihara, by request, Chun.

No. 285 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Ihara, by request, Chun.

No. 286 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Ihara, by request, Chun.

No. 287 "A BILL FOR AN ACT RELATING TO GOVERNMENT AFFAIRS."

Introduced by: Senators Ihara, by request, Chun.

No. 288 "A BILL FOR AN ACT RELATING TO GOVERNMENT AFFAIRS."

Introduced by: Senators Ihara, by request, Chun.

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

Introduced by: Senators Ihara, by request, Chun.

No. 290 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Ihara, by request, Chun.

No. 291 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

- Introduced by: Senators Ihara, by request, Chun.
- No. 292 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Senators Ihara, by request, Chun.
- No. 293 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Senators Ihara, by request, Chun.
- No. 294 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."
Introduced by: Senators Ihara, by request, Chun.
- No. 295 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."
Introduced by: Senators Ihara, by request, Chun.
- No. 296 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."
Introduced by: Senators Ihara, by request, Chun.
- No. 297 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."
Introduced by: Senators Ihara, by request, Chun.
- No. 298 "A BILL FOR AN ACT RELATING TO GOVERNMENT EFFICIENCY."
Introduced by: Senators Ihara, by request, Chun.
- No. 299 "A BILL FOR AN ACT RELATING TO REGULATORY REFORM."
Introduced by: Senators Ihara, by request, Chun.
- No. 300 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Senators Ihara, by request, Chun.
- No. 301 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."
Introduced by: Senators Ihara, by request, Chun.
- No. 302 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Ihara, by request, Chun.
- No. 303 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Ihara, by request, Chun.
- No. 304 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Ihara, by request, Chun.
- No. 305 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Ihara, by request, Chun.
- No. 306 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Senators Ihara, by request, Chun.
- No. 307 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Senators Ihara, by request, Chun.
- No. 308 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Senators Ihara, by request, Chun.
- No. 309 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Senators Ihara, by request, Chun.
- No. 310 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
Introduced by: Senators Ihara, by request, Chun.
- No. 311 "A BILL FOR AN ACT RELATING TO MEDQUEST."
Introduced by: Senators Ihara, by request, Chun.
- No. 312 "A BILL FOR AN ACT RELATING TO THE ELDERLY."
Introduced by: Senators Ihara, by request, Chun.
- No. 313 "A BILL FOR AN ACT RELATING TO TRAINING."
Introduced by: Senators Ihara, by request, Chun.
- No. 314 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
Introduced by: Senators Ihara, by request, Chun.
- No. 315 "A BILL FOR AN ACT RELATING TO CIVIL PROCEEDINGS."
Introduced by: Senators Ihara, by request, Chun.
- No. 316 "A BILL FOR AN ACT RELATING TO COURTS."
Introduced by: Senators Ihara, by request, Chun.
- No. 317 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Senators Ihara, by request, Chun.
- No. 318 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Senators Ihara, by request, Chun.
- No. 319 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Senators Ihara, by request, Chun.
- No. 320 "A BILL FOR AN ACT RELATING TO FIREARMS."
Introduced by: Senators Ihara, by request, Chun.
- No. 321 "A BILL FOR AN ACT RELATING TO MARRIAGE."
Introduced by: Senators Ihara, by request, Chun.

No. 322 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators Ihara, by request, Chun.

No. 323 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senators Ihara, by request, Chun.

No. 324 "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES."

Introduced by: Senators Ihara, by request, Chun.

No. 325 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Ihara, by request, Chun.

No. 326 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Ihara, by request, Chun.

No. 327 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."

Introduced by: Senators Ihara, by request, Chun.

No. 328 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senators Ihara, by request, Chun.

No. 329 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Ihara, by request, Chun.

No. 330 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Ihara, by request, Chun.

No. 331 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senators Ihara, by request, Chun.

No. 332 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Ihara, by request, Chun.

No. 333 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 334 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 335 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 336 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senators Ihara, by request, Chun.

No. 337 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senators Ihara, by request, Chun.

No. 338 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senators Ihara, by request, Chun.

No. 339 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 340 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 341 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

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No. 342 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 343 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senators Ihara, by request, Chun.

No. 344 "A BILL FOR AN ACT RELATING TO CONTRACTS."

Introduced by: Senators Ihara, by request, Chun.

No. 345 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Ihara, by request, Chun.

No. 346 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Ihara, by request, Chun.

No. 347 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senators Ihara, by request, Chun.

No. 348 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Ihara, by request, Chun.

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No. 350 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

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No. 352 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Ihara, by request, Chun.

No. 353 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senators Ihara, by request, Chun.

No. 354 "A BILL FOR AN ACT RELATING TO MILITARY CONTRACTS."

Introduced by: Senators Ihara, by request, Chun.

No. 355 "A BILL FOR AN ACT RELATING TO FEDERAL CONTRACTS."

Introduced by: Senators Ihara, by request, Chun.

No. 356 "A BILL FOR AN ACT RELATING TO MILITARY CONSTRUCTION."

Introduced by: Senators Ihara, by request, Chun.

No. 357 "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION."

Introduced by: Senators Ihara, by request, Chun.

No. 358 "A BILL FOR AN ACT RELATING TO THE MILITARY."

Introduced by: Senators Ihara, by request, Chun.

No. 359 "A BILL FOR AN ACT RELATING TO THE FEDERAL GOVERNMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 360 "A BILL FOR AN ACT RELATING TO PROJECT LABOR AGREEMENTS."

Introduced by: Senators Ihara, by request, Chun.

No. 361 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DEALER ADVERTISEMENTS."

Introduced by: Senator Chun, by request.

No. 362 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

Introduced by: Senators Kanno, Taniguchi.

No. 363 "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE."

Introduced by: Senator Kanno.

No. 364 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kanno, Taniguchi.

No. 365 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Kanno, Taniguchi.

No. 366 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Taniguchi.

No. 367 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."

Introduced by: Senators Kanno, Taniguchi.

No. 368 "A BILL FOR AN ACT RELATING TO RESIDENTIAL PROPERTY OCCUPANCY."

Introduced by: Senator Tam.

No. 369 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senator Tam.

No. 370 "A BILL FOR AN ACT RELATING TO PLATINUM JEWELRY."

Introduced by: Senators Tam, Matsuura.

No. 371 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."

Introduced by: Senators Tam, Matsuura.

No. 372 "A BILL FOR AN ACT RELATING TO CONDOMINIUM RESERVES."

Introduced by: Senators Tam, Matsuura.

No. 373 "A BILL FOR AN ACT RELATING TO OPERATIONS OF THE REAL PROPERTY TAX ASSESSMENT DIVISION."

Introduced by: Senators Tam, Matsuura.

No. 374 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 375 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 376 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 377 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 378 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 379 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 380 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 381 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 382 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 383 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Ihara, by request, Chun, by request.

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

Introduced by: Senators Ihara, by request, Chun, by request.

No. 385 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 386 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 387 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 388 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 389 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII MAIN STREET PROGRAM."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 390 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 391 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTER FOR LABOR EDUCATION AND RESEARCH."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 392 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 393 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 394 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Ihara, by request, Chun, by request.

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

Introduced by: Senators Ihara, by request, Chun, by request.

No. 396 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 397 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 398 "A BILL FOR AN ACT RELATING TO YOUTH."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 399 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 400 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 401 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senators Ihara, by request, Chun, by request.

No. 402 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senators Ihara, by request, Chun.

No. 403 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, by request, Chun.

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Introduced by: Senators Ihara, by request, Chun.

No. 406 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, by request, Chun.

No. 407 "A BILL FOR AN ACT RELATING TO HAWAIIAN CLAIMS."

Introduced by: Senators Ihara, by request, Chun.

No. 408 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, by request, Chun.

No. 409 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, by request, Chun.

No. 410 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, by request, Chun.

No. 411 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senators Ihara, by request, Chun.

No. 412 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Ihara, by request, Chun.

No. 413 "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST."

Introduced by: Senators Ihara, by request, Chun.

No. 414 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Ihara, by request, Chun.

No. 415 "A BILL FOR AN ACT RELATING TO WATER USE."

Introduced by: Senators Ihara, by request, Chun.

No. 416 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senators Ihara, by request, Chun.

No. 417 "A BILL FOR AN ACT RELATING TO WATER SAFETY."

Introduced by: Senators Ihara, by request, Chun.

No. 418 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senators Ihara, by request, Chun.

No. 419 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senators Ihara, by request, Chun.

No. 420 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN IMMERSION LANGUAGE PROGRAM."

Introduced by: Senators Ihara, by request, Chun.

No. 421 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Ihara, by request, Chun.

No. 422 "A BILL FOR AN ACT RELATING TO CULTURAL AND HISTORIC PRESERVATION."

Introduced by: Senators Ihara, by request, Chun.

No. 423 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senators Ihara, by request, Chun.

No. 424 "A BILL FOR AN ACT RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS."

Introduced by: Senators Ihara, by request, Chun.

No. 425 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senators Ihara, by request, Chun.

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

Introduced by: Senators Ihara, by request, Chun.

No. 427 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS."

Introduced by: Senators Ihara, by request, Chun.

No. 428 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES AND PURCHASES OF SERVICE."

Introduced by: Senators Ihara, by request, Chun.

No. 429 "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND CONTRACTS."

Introduced by: Senators Ihara, by request, Chun.

No. 430 "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS."

Introduced by: Senators Ihara, by request, Chun.

No. 431 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senators Ihara, by request, Chun.

No. 432 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senators Ihara, by request, Chun.

No. 433 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senators Ihara, by request, Chun.

No. 434 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senators Ihara, by request, Chun.

No. 435 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senators Ihara, by request, Chun.

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

- Introduced by: Senators Ihara, by request, Chun.
- No. 437 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Ihara, by request, Chun.
- No. 438 "A BILL FOR AN ACT RELATING TO THE BUDGET."
- Introduced by: Senators Ihara, by request, Chun.
- No. 439 "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING."
- Introduced by: Senators Ihara, by request, Chun.
- No. 440 "A BILL FOR AN ACT RELATING TO STATE REVENUES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 441 "A BILL FOR AN ACT RELATING TO STATE REVENUES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 442 "A BILL FOR AN ACT RELATING TO STATE TAXES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 443 "A BILL FOR AN ACT RELATING TO STATE TAXES."
- Introduced by: Senators Ihara, by request, Chun.
- No. 444 "A BILL FOR AN ACT RELATING TO FUNDS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 445 "A BILL FOR AN ACT RELATING TO FUNDS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 446 "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 447 "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS."
- Introduced by: Senators Ihara, by request, Chun.
- No. 448 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- Introduced by: Senators Ihara, by request, Chun.
- No. 449 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- Introduced by: Senators Ihara, by request, Chun.
- No. 450 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- Introduced by: Senator Chun.
- No. 451 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 452 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO COMPLETE THE INFRASTRUCTURE FOR WATERLINES INTO THE KIKALA-KEOKEA SUBDIVISION."
- Introduced by: Senator Mizuguchi, by request.
- No. 453 "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES."
- Introduced by: Senator Mizuguchi, by request.
- No. 454 "A BILL FOR AN ACT RELATING TO LABELING."
- Introduced by: Senator Mizuguchi, by request.
- No. 455 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CULTURAL IMPACT STATEMENTS."
- Introduced by: Senator Mizuguchi, by request.
- No. 456 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."
- Introduced by: Senator Mizuguchi, by request.
- No. 457 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."
- Introduced by: Senator Mizuguchi, by request.
- No. 458 "A BILL FOR AN ACT RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Mizuguchi, by request.
- No. 459 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."
- Introduced by: Senator Mizuguchi, by request.
- No. 460 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESIDENTS OF MAUNALAHA SUBDIVISION."
- Introduced by: Senator Mizuguchi, by request.
- No. 461 "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS."
- Introduced by: Senator Mizuguchi, by request.
- No. 462 "A BILL FOR AN ACT RELATING TO PUBLIC TRUST LANDS."
- Introduced by: Senator Mizuguchi, by request.
- No. 463 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
- Introduced by: Senator Mizuguchi, by request.
- No. 464 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."
- Introduced by: Senator Mizuguchi, by request.
- No. 465 "A BILL FOR AN ACT RELATING TO ABANDONED PROPERTY."
- Introduced by: Senator Mizuguchi, by request.

No. 466 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 467 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF SCHOOL CHILDREN."

Introduced by: Senator Mizuguchi, by request.

No. 468 "A BILL FOR AN ACT RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Mizuguchi, by request.

No. 469 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING."

Introduced by: Senators Anderson, Slom.

No. 470 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, TO REQUIRE A TWO-THIRDS VOTE BY THE LEGISLATURE FOR BILLS PROVIDING EXEMPTIONS TO ANY CHAPTER OR SECTION OF THE STATE'S CODIFIED LAWS."

Introduced by: Senator Anderson.

No. 471 "A BILL FOR AN ACT RELATING TO ELECTRONIC EAVESDROPPING."

Introduced by: Senator Anderson.

No. 472 "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. 473 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF HAWAII TO ABOLISH THE STATE BOARD OF EDUCATION AND REPLACE IT WITH DISTRICT BOARDS OF EDUCATION THAT ARE ELECTED AT-LARGE AND IN A NONPARTISAN MANNER BY THE QUALIFIED VOTERS OF SCHOOL DISTRICTS, AND A STATE DIRECTOR OF EDUCATION APPOINTED BY THE GOVERNOR."

Introduced by: Senators Anderson, Slom.

No. 474 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."

Introduced by: Senator Anderson.

No. 475 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senator Anderson.

No. 476 "A BILL FOR AN ACT RELATING TO HORSE RACING."

Introduced by: Senator Anderson.

No. 477 "A BILL FOR AN ACT RELATING TO SHIPBOARD GAMING."

Introduced by: Senator Anderson.

No. 478 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Anderson.

No. 479 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senator Chumbley.

No. 480 "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS."

Introduced by: Senators Inouye, Chumbley, Buen, Matsuura, Levin.

No. 481 "A BILL FOR AN ACT RELATING TO PAWNBROKERS."

Introduced by: Senator Chumbley.

No. 482 "A BILL FOR AN ACT RELATING TO WAGES."

Introduced by: Senator Chumbley.

No. 483 "A BILL FOR AN ACT RELATING TO REEFS."

Introduced by: Senator Levin.

No. 484 "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY."

Introduced by: Senator Levin.

No. 485 "A BILL FOR AN ACT RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE."

Introduced by: Senator Levin.

No. 486 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Levin.

No. 487 "A BILL FOR AN ACT RELATING TO CITIZEN SUITS."

Introduced by: Senator Levin.

No. 488 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Levin, Inouye.

No. 489 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND AEROMEDICAL UNIT."

Introduced by: Senators Levin, Inouye, Matsuura.

No. 490 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."

Introduced by: Senators Levin, Fukunaga, Chumbley.

No. 491 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE."

Introduced by: Senators Levin, Inouye.

No. 492 "A BILL FOR AN ACT RELATING TO COURT REPORTERS."

Introduced by: Senator Levin.

No. 493 "A BILL FOR AN ACT APPROPRIATING FUNDS TO REIMBURSE THE HAWAII COUNTY FIRE

DEPARTMENT FOR PROVISION OF EMERGENCY MEDICAL SERVICES."

Introduced by: Senators Levin, Inouye, Matsuura.

No. 494 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN IN MILITARY SERVICE FOR AMERICA MEMORIAL."

Introduced by: Senators Levin, Matsuura, Chun Oakland, Inouye.

No. 495 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Levin, Fukunaga.

No. 496 "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES."

Introduced by: Senators Levin, Chun Oakland.

No. 497 "A BILL FOR AN ACT RELATING TO ANIMAL EUTHANASIA."

Introduced by: Senator Levin, by request.

No. 498 "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Senator Levin.

No. 499 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Levin.

No. 500 "A BILL FOR AN ACT RELATING TO CIVIL JUSTICE REFORM."

Introduced by: Senators Iwase, Buen, Bunda, Chun, Kawamoto, Matsuura, Sakamoto, Tanaka.

No. 501 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Iwase, Sakamoto, Buen, Bunda, Kawamoto, Matsuura, Tanaka.

No. 502 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Iwase, Buen, Bunda, Chun, M. Ige, Kawamoto, Matsuura, Sakamoto, Tanaka.

No. 503 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Iwase, Buen, Bunda, M. Ige, Kawamoto, Matsuura, Sakamoto, Tanaka.

No. 504 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING PAYROLL TAX."

Introduced by: Senator Slom.

No. 505 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Slom.

No. 506 "A BILL FOR AN ACT RELATING TO EDUCATION"

Introduced by: Senator Slom.

No. 507 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Anderson, Slom.

No. 508 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES."

Introduced by: Senator Chun.

No. 509 "A BILL FOR AN ACT RELATING TO DIETITIANS."

Introduced by: Senator Kanno.

No. 510 "A BILL FOR AN ACT RELATING TO DIETITIANS."

Introduced by: Senator Kanno.

No. 511 "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITY PAYMENTS."

Introduced by: Senators Kanno, Levin, Taniguchi.

No. 512 "A BILL FOR AN ACT RELATING TO ENERGY SELF-SUFFICIENCY."

Introduced by: Senator Kanno.

No. 513 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE."

Introduced by: Senators Kanno, D. Ige.

No. 514 "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW."

Introduced by: Senator Tam.

No. 515 "A BILL FOR AN ACT RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL."

Introduced by: Senators Nakata, Levin, Taniguchi.

No. 516 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Nakata, Levin, Taniguchi.

No. 517 "A BILL FOR AN ACT RELATING TO THE KOKOKAHI YWCA."

Introduced by: Senator M. Ige.

No. 518 "A BILL FOR AN ACT RELATING TO VICE-PRINCIPALS."

Introduced by: Senator M. Ige.

No. 519 "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE STUDENT SUPPORT SYSTEM."

Introduced by: Senator M. Ige.

No. 520 "A BILL FOR AN ACT RELATING TO ECOTOURISM."

Introduced by: Senator M. Ige.

No. 521 "A BILL FOR AN ACT RELATING TO THE BROWN TREE SNAKE."

Introduced by: Senator M. Ige.
 No. 522 "A BILL FOR AN ACT RELATING TO THE INTRODUCTION AND IMPORTATION OF ALIEN PLANTS, ANIMALS, AND MICROORGANISMS."

Introduced by: Senator M. Ige.

No. 523 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator M. Ige.

No. 524 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator M. Ige.

No. 525 "A BILL FOR AN ACT RELATING TO INDIVIDUAL INCOME TAX."

Introduced by: Senator M. Ige.

No. 526 "A BILL FOR AN ACT RELATING TO A MANAGEMENT AUDIT OF THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Senator M. Ige.

No. 527 "A BILL FOR AN ACT ESTABLISHING THE HAWAII YOUTH ACADEMY."

Introduced by: Senator M. Ige.

No. 528 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Taniguchi, by request.

No. 529 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."

Introduced by: Senator Taniguchi, by request.

No. 530 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Taniguchi, by request.

No. 531 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

Introduced by: Senator Taniguchi, by request.

No. 532 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."

Introduced by: Senator Buen.

No. 533 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD ASSESSMENTS."

Introduced by: Senators D. Ige, Bunda, Chumbley, Tam.

No. 534 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Tam.

No. 535 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY RESOURCE CENTERS."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Tam.

No. 536 "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS."

Introduced by: Senators D. Ige, Bunda, Chumbley, Chun Oakland, Fukunaga, Matsunaga, Sakamoto, Tam.

No. 537 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators D. Ige, Bunda, Chumbley, Chun Oakland, Matsunaga, Sakamoto, Tam.

No. 538 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 539 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 540 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 541 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Tam.

No. 542 "A BILL FOR AN ACT RELATING TO BUDGETING."

Introduced by: Senators D. Ige, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 543 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE GENERAL ENDOWMENT OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator D. Ige, by request.

No. 544 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Fukunaga, Levin, Matsunaga, Slom, Tam.

No. 545 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 546 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.

No. 547 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

- Introduced by: Senator D. Ige, by request.
- No. 548 "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK."
- Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.
- No. 549 "A BILL FOR AN ACT RELATING TO LIBRARIES."
- Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Slom, Tam.
- No. 550 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators D. Ige, Sakamoto, Bunda, Chumbley, Matsunaga, Tam.
- No. 551 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator D. Ige, by request.
- No. 552 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator D. Ige, by request.
- No. 553 "A BILL FOR AN ACT RELATING TO THE OKINAWAN CENTENNIAL CELEBRATION COMMISSION."
- Introduced by: Senators D. Ige, Nakata, Buen, M. Ige, Chun, Sakamoto, Inouye.
- No. 554 "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES."
- Introduced by: Senator Hanabusa, by request.
- No. 555 "A BILL FOR AN ACT RELATING TO DEVELOPMENT."
- Introduced by: Senator Hanabusa, by request.
- No. 556 "A BILL FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Hanabusa, by request.
- No. 557 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."
- Introduced by: Senator Hanabusa, by request.
- No. 558 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senator Hanabusa, by request.
- No. 559 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
- Introduced by: Senator Hanabusa, by request.
- No. 560 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS."
- Introduced by: Senator Hanabusa, by request.
- No. 561 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
- Introduced by: Senator Hanabusa, by request.
- No. 562 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
- Introduced by: Senator Hanabusa, by request.
- No. 563 "A BILL FOR AN ACT RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL."
- Introduced by: Senator Hanabusa, by request.
- No. 564 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Senators Hanabusa, Chun Oakland, Kanno, Matsuura.
- No. 565 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."
- Introduced by: Senators Hanabusa, Tam, Matsuura.
- No. 566 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NANAKULI HOMESTEAD CEMETERY."
- Introduced by: Senators Hanabusa, Kanno, Matsuura, Nakata.
- No. 567 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."
- Introduced by: Senators Hanabusa, Kanno, Matsuura.
- No. 568 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."
- Introduced by: Senators Hanabusa, Kanno, Matsuura.
- No. 569 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT."
- Introduced by: Senators Hanabusa, Kanno, Matsuura, Nakata.
- No. 570 "A BILL FOR AN ACT RELATING TO THE WAIANAEO COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT."
- Introduced by: Senators Hanabusa, Kanno, Matsuura, Nakata.
- No. 571 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."
- Introduced by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata.
- No. 572 "A BILL FOR AN ACT RELATING TO HEALTHCARE."
- Introduced by: Senators Hanabusa, Chun Oakland, Kanno, Nakata.
- No. 573 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY AND THE RIGHT TO NURSING CARE."

Introduced by: Senators Hanabusa, Kanno.

No. 574 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Senators Hanabusa, Chun, Matsuura, Kanno.

No. 575 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hanabusa, Buen, Bunda, Chumbley, Chun, Chun Oakland, D. Ige, Ihara, Inouye, Kanno, Levin, Matsunaga, Matsuura, Nakata, Sakamoto, Tam, Taniguchi.

No. 576 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.

No. 577 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII."

Introduced by: Senators Inouye, Bunda.

No. 578 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HIGH SCHOOL ATHLETIC PROGRAMS."

Introduced by: Senator Chumbley.

No. 579 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DIALYSIS MACHINE FOR PATIENTS' OF THE HAWAII HEALTH SYSTEMS CORPORATION RESIDING ON MOLOKAI."

Introduced by: Senator Chumbley.

No. 580 "A BILL FOR AN ACT RELATING TO PROJECT FAITH."

Introduced by: Senators Chumbley, Chun.

No. 581 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENTS."

Introduced by: Senators Chumbley, Chun Oakland, Fukunaga.

No. 582 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 583 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 584 "A BILL FOR AN ACT RELATING TO HABITUAL VIOLENT OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 585 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 586 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senators Chumbley, Matsunaga.

No. 587 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 588 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 589 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE."

Introduced by: Senators Chumbley, Matsunaga.

No. 590 "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 591 "A BILL FOR AN ACT RELATING TO CUSTODY AND VISITATION."

Introduced by: Senators Chumbley, Matsunaga.

No. 592 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Matsunaga.

No. 593 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senators Chumbley, Matsunaga.

No. 594 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Matsunaga.

No. 595 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Senators Chumbley, Matsunaga.

No. 596 "A BILL FOR AN ACT RELATING TO VIOLENCE."

Introduced by: Senators Chumbley, Matsunaga.

No. 597 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Senators Chumbley, Matsunaga.

No. 598 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DOMESTIC VIOLENCE SERVICES."

Introduced by: Senators Chumbley, Matsunaga.

No. 599 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Chumbley, Matsunaga.

No. 600 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Matsunaga, Chumbley.

No. 601 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

- Introduced by: Senators Matsunaga, Chumbley.
- No. 602 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 603 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KASHBOX PROGRAM."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 604 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 605 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."
- Introduced by: Senators Chumbley, Matsunaga, Chun, Chun Oakland, D. Ige, Fukunaga, Ihara, Levin, Nakata, Tam, Taniguchi.
- No. 606 "A BILL FOR AN ACT RELATING TO DANGEROUS WEAPONS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 607 "A BILL FOR AN ACT RELATING TO FIREARMS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 608 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- Introduced by: Senators Chumbley, Matsunaga, Ihara, Chun, Bunda, D. Ige, Kawamoto, Levin, Nakata, Taniguchi.
- No. 609 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JUDICIARY SECURITY PERSONNEL."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 610 "A BILL FOR AN ACT RELATING TO JUDICIAL SALARIES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 611 "A BILL FOR AN ACT RELATING TO PRIVATE COURT REPORTERS."
- Introduced by: Senator Chumbley.
- No. 612 "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 613 "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 614 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY TO SERVE AS A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 615 "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 Chumbley, Matsunaga.
- No. 616 "A BILL FOR AN ACT RELATING TO PROSTITUTION."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 617 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROSTITUTION INTERVENTION SERVICES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 618 "A BILL FOR AN ACT RELATING TO PATHOLOGICAL INTOXICATION."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 619 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 620 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 621 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 622 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 623 "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES."
- Introduced by: Senators Sakamoto, Chumbley, Matsunaga.
- No. 624 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 625 "A BILL FOR AN ACT RELATING TO COSTS AND FEES."
- Introduced by: Senators Inouye, Chumbley, Matsunaga.
- No. 626 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 627 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 628 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 629 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senators Chumbley, Matsunaga.

No. 630 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Senators Chumbley, Matsunaga.

No. 631 "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES."

Introduced by: Senators Matsunaga, Chumbley.

No. 632 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 633 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 634 "A BILL FOR AN ACT RELATING TO TRUSTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 635 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING."

Introduced by: Senators Matsunaga, Chumbley.

No. 636 "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE EMPLOYEES."

Introduced by: Senators Nakata, Hanabusa, Taniguchi.

No. 637 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE."

Introduced by: Senators Nakata, Hanabusa, Taniguchi.

No. 638 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Ihara, Chumbley, Chun.

No. 639 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Ihara, Chumbley, Chun.

No. 640 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SIXTH ANNUAL ROYAL HAWAIIAN ROWING CHALLENGE."

Introduced by: Senator Ihara.

No. 641 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Kanno, Ihara.

No. 642 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Kanno, Ihara, Taniguchi.

No. 643 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Kanno, Ihara, Taniguchi.

No. 644 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Kanno, Ihara, Taniguchi.

No. 645 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Kanno, Ihara.

No. 646 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senators Ihara, Fukunaga, Chumbley, Matsunaga.

No. 647 "A BILL FOR AN ACT RELATING TO PLASTIC."

Offered by: Senators Ihara, by request.

No. 648 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Senators Ihara, Inouye, Kawamoto, Levin.

No. 649 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senators Ihara, Chumbley, Matsunaga.

No. 650 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Senators Ihara, Chumbley, Fukunaga, Matsunaga, D. Ige.

No. 651 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Ihara, Chumbley, D. Ige, Fukunaga, Nakata.

No. 652 "A BILL FOR AN ACT RELATING TO ALTERNATIVE DISPUTE RESOLUTION."

Introduced by: Senators Ihara, Chumbley, Matsunaga.

No. 653 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGISLATIVE BROADCASTING."

Introduced by: Senators Ihara, Chun, Chumbley.

No. 654 "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES."

Introduced by: Senators Ihara, Chumbley, Levin, Fukunaga.

No. 655 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VISITOR ALOHA SOCIETY OF HAWAII."

Introduced by: Senator Ihara.

No. 656 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Ihara, Fukunaga, Taniguchi, Kanno.

No. 657 "A BILL FOR AN ACT RELATING TO THE ISLAND OF LANAI."

Introduced by: Senator Ihara, by request.

No. 658 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS."

- Introduced by: Senators Kawamoto, Bunda.
- No. 659 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senators Kawamoto, Bunda.
- No. 660 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."
- Introduced by: Senators Kawamoto, Bunda.
- No. 661 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
- Introduced by: Senators Kawamoto, Bunda.
- No. 662 "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER."
- Introduced by: Senators Kawamoto, Bunda.
- No. 663 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATIONS."
- Introduced by: Senators Kawamoto, Bunda, Taniguchi.
- No. 664 "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES."
- Introduced by: Senators Kawamoto, Bunda.
- No. 665 "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE."
- Introduced by: Senators Kawamoto, Bunda.
- No. 666 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."
- Introduced by: Senators Kawamoto, Bunda.
- No. 667 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
- Introduced by: Senator Kawamoto.
- No. 668 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RESTORE FUNDING TO PUBLIC HIGH SCHOOL ATHLETIC PROGRAMS."
- Introduced by: Senators Kawamoto, Bunda, Matsunaga, Tam.
- No. 669 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Kawamoto.
- No. 670 "A BILL FOR AN ACT RELATING TO WELFARE."
- Introduced by: Senator Kawamoto.
- No. 671 "A BILL FOR AN ACT RELATING TO PASSENGER SAFETY."
- Introduced by: Senators Kawamoto, Sakamoto, Hanabusa, Inouye, Bunda.
- No. 672 "A BILL FOR AN ACT RELATING TO PASSENGER SAFETY."
- Introduced by: Senators Kawamoto, Sakamoto, Hanabusa, Inouye, Bunda.
- No. 673 "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD YOUTH CHALLENGE PROGRAM."
- Introduced by: Senators Kawamoto, Sakamoto, Bunda.
- No. 674 "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS."
- Introduced by: Senators Kawamoto, Bunda.
- No. 675 "A BILL FOR AN ACT RELATING TO CONTRACTOR'S LICENSES."
- Introduced by: Senators Kawamoto, Bunda, Tam.
- No. 676 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES."
- Introduced by: Senators Kawamoto, Sakamoto, Bunda.
- No. 677 "A BILL FOR AN ACT RELATING TO DRIVER IMPROVEMENT PROGRAM."
- Introduced by: Senators Kawamoto, Bunda, Sakamoto.
- No. 678 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING."
- Introduced by: Senators Kawamoto, Bunda.
- No. 679 "A BILL FOR AN ACT RELATING TO FIREWORKS IN COUNTIES."
- Introduced by: Senators Kawamoto, Bunda.
- No. 680 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- Introduced by: Senators Kawamoto, Bunda.
- No. 681 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- Introduced by: Senators Kawamoto, Bunda.
- No. 682 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- Introduced by: Senators Kawamoto, Bunda, Tam.
- No. 683 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- Introduced by: Senators Kawamoto, Bunda, Tam.
- No. 684 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM."
- Introduced by: Senator Kawamoto.
- No. 685 "A BILL FOR AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES UNDER TWO OR MORE NAMES."
- Introduced by: Senator Kawamoto.
- No. 686 "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE."
- Introduced by: Senator Kawamoto.

No. 687 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Kawamoto.

No. 688 "A BILL FOR AN ACT RELATING TO A PILOT SATELLITE WAGERING PROGRAM."

Introduced by: Senator Bunda.

No. 689 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Senator Bunda.

No. 690 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Bunda.

No. 691 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Senator Bunda.

No. 692 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Senator Bunda, by request.

No. 693 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO AID EFFICIENT MANAGEMENT OF LAKE WILSON."

Introduced by: Senator Bunda.

No. 694 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR THE KAENA POINT COASTAL RESERVE."

Introduced by: Senator Bunda.

No. 695 "A BILL FOR AN ACT RELATING TO JURORS."

Introduced by: Senator Bunda.

No. 696 "A BILL FOR AN ACT RELATING TO INDIVIDUAL WASTEWATER TREATMENT SYSTEM INCOME TAX CREDIT."

Introduced by: Senators Bunda, Tam.

No. 697 "A BILL FOR AN ACT RELATING TO A BICYCLE PATROL FOR THE CAPITOL DISTRICT."

Introduced by: Senator Bunda.

No. 698 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAIALUA-HALEIWA STORMWATER DRAINAGE MASTER PLAN."

Introduced by: Senator Bunda.

No. 699 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALEIWA ARTS FESTIVAL."

Introduced by: Senator Bunda.

No. 700 "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES."

Introduced by: Senator Bunda.

No. 701 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Bunda.

No. 702 "A BILL FOR AN ACT RELATING TO PARIMUTUEL WAGERING AND HORSERACING."

Introduced by: Senator Bunda.

No. 703 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Bunda.

No. 704 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Senator Bunda.

No. 705 "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW."

Introduced by: Senator Matsunaga.

No. 706 "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. 707 "A BILL FOR AN ACT RELATING TO THRILL CRAFTS."

Introduced by: Senator Matsunaga.

No. 708 "A BILL FOR AN ACT RELATING TO LIVE EXOTIC ANIMAL TRAVELING EXHIBITS."

Introduced by: Senator Matsunaga, by request.

No. 709 "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT."

Introduced by: Senator Matsunaga.

No. 710 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD."

Introduced by: Senator Matsunaga.

No. 711 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senator Matsunaga.

No. 712 "A BILL FOR AN ACT RELATING TO OCEAN LEASING."

Introduced by: Senator Matsunaga, by request.

No. 713 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."

Introduced by: Senator Matsunaga.

No. 714 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PACON INTERNATIONAL."

Introduced by: Senator Matsunaga.

No. 715 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Senator Matsunaga.

No. 716 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY."

Introduced by: Senators Matsunaga, Inouye.

No. 717 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Inouye.

No. 718 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Inouye.

No. 719 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH."

Introduced by: Senator Inouye.

No. 720 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 721 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 722 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 723 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 724 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 725 "A BILL FOR AN ACT RELATING TO PRIVATIZATION."

Introduced by: Senator Sakamoto.

No. 726 "A BILL FOR AN ACT RELATING TO BUSINESS TAX DEDUCTIONS."

Introduced by: Senators Sakamoto, Bunda, Chumbley, Chun, Chun Oakland, Inouye, Kawamoto, Levin, Matsuura, Taniguchi.

No. 727 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Sakamoto.

No. 728 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Sakamoto, Bunda, Chumbley, Chun Oakland, Inouye, Kawamoto, Matsuura.

No. 729 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Sakamoto, Bunda, Chumbley, Chun, Chun Oakland, Inouye, Kawamoto, Levin, Matsuura.

No. 730 "A BILL FOR AN ACT RELATING TO VALUE ADDED TAX."

Introduced by: Senators Sakamoto, Bunda, Chumbley, Chun, Chun Oakland, Inouye, Kawamoto, Matsuura.

No. 731 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Sakamoto, Buen, Bunda, Chun Oakland, Inouye, Matsuura, Tanaka.

No. 732 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senators Sakamoto, Chumbley, Tanaka.

No. 733 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Sakamoto, Matsunaga, Chumbley, Chun, Matsuura.

No. 734 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS."

Introduced by: Senators Sakamoto, Chumbley, Chun, Matsuura, Bunda, Chun Oakland, Inouye, Levin, Matsunaga.

No. 735 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Sakamoto, Matsuura, Bunda.

No. 736 "A BILL FOR AN ACT RELATING TO LIENS."

Introduced by: Senators Sakamoto, Matsuura.

No. 737 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Senators Sakamoto, Chumbley, Tanaka.

No. 738 "A BILL FOR AN ACT RELATING TO NOISE POLLUTION."

Introduced by: Senators Sakamoto, Chumbley, Tanaka.

No. 739 "A BILL FOR AN ACT RELATING TO CIVIL JUSTICE REFORM."

Introduced by: Senators Sakamoto, Matsuura, Chun, Chun Oakland.

No. 740 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Sakamoto, Chun, Matsuura, Bunda.

No. 741 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE COUNTING OF VOTES."

Introduced by: Senators Sakamoto, Matsuura, Buen, Bunda, Chun, Inouye, Kawamoto, Tanaka.

No. 742 "A BILL FOR AN ACT RELATING TO SMALL CORPORATE OFFERINGS REGISTRATION."

Introduced by: Senator Sakamoto.

No. 743 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN EARLY CHILDHOOD EDUCATION CENTER."

Introduced by: Senator Mizuguchi.

No. 744 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 745 "A BILL FOR AN ACT RELATING TO EXTENSION AND ISSUANCE OF NEW LEASES OF PUBLIC LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 746 "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 747 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Mizuguchi.

No. 748 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 749 "A BILL FOR AN ACT RELATING TO COMPENSATION FOR PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 750 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS DEFENDER."

Introduced by: Senator Mizuguchi, Chumbley, Ihara, Chun, Fukunaga, Levin.

No. 751 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT."

Introduced by: Senators Matsuura, Inouye, Levin.

No. 752 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION."

Introduced by: Senators Matsuura, Buen, Levin, Tanaka, Chun, Chumbley, Inouye.

No. 753 "A BILL FOR AN ACT RELATING TO ENGINEERS."

Introduced by: Senators Matsuura, Buen, Bunda, Chun, Sakamoto.

No. 754 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE V OF THE HAWAII CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF THE ATTORNEY GENERAL IN THE SAME MANNER AS A CIRCUIT COURT JUDGE."

Introduced by: Senator Matsuura.

No. 755 "A BILL FOR AN ACT RELATING TO MEDICAL CARE FOR MINORS."

Introduced by: Senators Matsuura, Buen, Bunda, Chun, Sakamoto.

No. 756 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE II, SECTION 4, ARTICLE II, SECTION 8, AND ARTICLE III, SECTION 8 OF THE

HAWAII CONSTITUTION, TO ABOLISH PRIMARY ELECTIONS."

Introduced by: Senator Matsuura.

No. 757 "A BILL FOR AN ACT RELATING TO COMPUTER SYSTEMS WHICH ARE NOT YEAR 2000 COMPLIANT."

Introduced by: Senators Matsuura, Buen, Bunda, Chun, Sakamoto.

No. 758 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POSITIONS IN THE NURSING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Matsuura, Inouye, Levin.

No. 759 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senators Matsuura, Inouye, Levin.

No. 760 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE AND MOTORCYCLE INSURANCE."

Introduced by: Senator Matsuura.

No. 761 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE AND MOTORCYCLE INSURANCE."

Introduced by: Senator Matsuura.

No. 762 "A BILL FOR AN ACT RELATING TO PRIVATE PROPERTY RIGHTS."

Introduced by: Senator Matsuura.

No. 763 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Senator Matsuura.

No. 764 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Matsuura.

No. 765 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Senator Matsuura.

No. 766 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Matsuura.

No. 767 "A BILL FOR AN ACT RELATING TO AGRICULTURAL DISTRICT LANDS."

Introduced by: Senator Matsuura.

No. 768 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE OF THE COUNTIES."

Introduced by: Senator Matsuura.

No. 769 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Matsuura.

No. 770 "A BILL FOR AN ACT RELATING TO JURORS."

- Introduced by: Senator Matsuura.
- No. 771 "A BILL FOR AN ACT RELATING TO THE COUNTIES."
- Introduced by: Senator Matsuura.
- No. 772 "A BILL FOR AN ACT RELATING TO LIABILITY."
- Introduced by: Senator Matsuura.
- No. 773 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Kanno, Taniguchi.
- No. 774 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- Introduced by: Senators Taniguchi, Kanno.
- No. 775 "A BILL FOR AN ACT RELATING TO ACTIVITY PROVIDERS AND ACTIVITY DESKS."
- Introduced by: Senators Taniguchi, Kanno.
- No. 776 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."
- Introduced by: Senator Taniguchi.
- No. 777 "A BILL FOR AN ACT RELATING TO FORECLOSURES."
- Introduced by: Senators Taniguchi, Kanno.
- No. 778 "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE."
- Introduced by: Senators Taniguchi, Kanno.
- No. 779 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."
- Introduced by: Senators Taniguchi, Chun Oakland.
- No. 780 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- Introduced by: Senators Taniguchi, Kanno, Chun Oakland.
- No. 781 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Taniguchi.
- No. 782 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."
- Introduced by: Senator Taniguchi, by request.
- No. 783 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."
- Introduced by: Senator Taniguchi, by request.
- No. 784 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIG ISLAND PAPAYA INDUSTRY."
- Introduced by: Senators Levin, Inouye.
- No. 785 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senators Levin, Inouye.
- No. 786 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A POST HARVEST FACILITY IN HILO."
- Introduced by: Senator Levin.
- No. 787 "A BILL FOR AN ACT RELATING TO PATIENTS RIGHTS AND RESPONSIBILITIES ACT."
- Introduced by: Senator Levin.
- No. 788 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Levin, Fukunaga.
- No. 789 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
- Introduced by: Senator Ihara.
- No. 790 "A BILL FOR AN ACT RELATING TO PROPERTY."
- Introduced by: Senators Ihara, Nakata, Hanabusa, Levin.
- No. 791 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
- Introduced by: Senators Ihara, Fukunaga, D. Ige, Chumbley, Taniguchi.
- No. 792 "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES."
- Introduced by: Senator Ihara.
- No. 793 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BEAUTIFICATION OF OAHU'S PUBLIC SCHOOLS."
- Introduced by: Senator Ihara.
- No. 794 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
- Introduced by: Senator Ihara.
- No. 795 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."
- Introduced by: Senators Ihara, Sakamoto, Chun, Chun Oakland, Inouye, Nakata.
- No. 796 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- Introduced by: Senators Ihara, Levin, Chumbley, Chun Oakland.
- No. 797 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."
- Introduced by: Senators Tam, Ihara.
- No. 798 "A BILL FOR AN ACT RELATING TO NOISE."
- Introduced by: Senators Fukunaga, Ihara.
- No. 799 "A BILL FOR AN ACT RELATING TO FEES."
- Introduced by: Senators Ihara, Levin, Chun Oakland.

No. 800 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fukunaga, Levin.

No. 801 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES."

Introduced by: Senators Fukunaga, Levin.

No. 802 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON PERSONS WITH DISABILITIES."

Introduced by: Senators Levin, Fukunaga.

No. 803 "A BILL FOR AN ACT RELATING TO WORKFORCE RESTRUCTURING."

Introduced by: Senators Fukunaga, Levin.

No. 804 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA RACING ENTRY IN AMERICA'S CUP 2000."

Introduced by: Senators Fukunaga, Ihara.

No. 805 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESIDENTS OF MAUNALAHA SUBDIVISION."

Introduced by: Senator Fukunaga.

No. 806 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senators Fukunaga, Kawamoto.

No. 807 "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA."

Introduced by: Senator Fukunaga.

No. 808 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."

Introduced by: Senator Fukunaga.

No. 809 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senator Fukunaga.

No. 810 "A BILL FOR AN ACT RELATING TO NOXIOUS WEED CONTROL."

Introduced by: Senator Fukunaga.

No. 811 "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING."

Introduced by: Senator Fukunaga.

No. 812 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE PACIFIC MAPPING PROGRAM, UNIVERSITY OF HAWAII."

Introduced by: Senator Fukunaga.

No. 813 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY IN SERVING THE GENERAL PUBLIC."

Introduced by: Senator Fukunaga.

No. 814 "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION."

Introduced by: Senator Mizuguchi, by request.

No. 815 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Senator Mizuguchi, by request.

No. 816 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senators Inouye, Taniguchi.

No. 817 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Senators Chun Oakland, Inouye, Fukunaga, Matsunaga, Chumbley.

No. 818 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Buen, Chun Oakland, Inouye, Fukunaga, Chumbley, Matsunaga.

No. 819 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

Introduced by: Senators Chun Oakland, Buen, Inouye, Fukunaga, Chumbley, Matsunaga.

No. 820 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Chun Oakland, Buen, Inouye, Matsunaga, Chumbley, Fukunaga.

No. 821 "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION."

Introduced by: Senators Chun Oakland, Inouye, Buen, Fukunaga, Matsunaga, Chumbley.

No. 822 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Chun Oakland, Hanabusa, Buen, Inouye, Fukunaga, Chumbley, Matsunaga.

No. 823 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Chun Oakland, Buen, Inouye, Fukunaga, Matsunaga, Chumbley.

No. 824 "A BILL FOR AN ACT RELATING TO OSTEOPOROSIS."

Introduced by: Senators Chun Oakland, Buen, Inouye, Fukunaga, Matsunaga, Chumbley.

No. 825 "A BILL FOR AN ACT RELATING TO BREASTFEEDING."

Introduced by: Senators Chun Oakland, Inouye, Fukunaga, Chumbley, Matsunaga.

No. 826 "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS."

Introduced by: Senators Buen, Chun Oakland, Inouye, Fukunaga, Chumbley.

No. 827 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senators Chun Oakland, Inouye, Fukunaga, Matsunaga, Chumbley.

No. 828 "A BILL FOR AN ACT RELATING TO BUSINESS."

Introduced by: Senators Inouye, Buen, Fukunaga, Chumbley, Chun Oakland.

No. 829 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senators Chun Oakland, Buen, Fukunaga, Matsunaga, Chumbley, Inouye.

No. 830 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT."

Introduced by: Senators Chun Oakland, Kanno.

No. 831 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO DEVELOP A NEUROSCIENCE INDUSTRY IN THE STATE."

Introduced by: Senator Chun Oakland.

No. 832 "A BILL FOR AN ACT RELATING TO BICYCLES."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 833 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Chun Oakland, Chumbley, Chun.

No. 834 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Chun Oakland, Kanno.

No. 835 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

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

No. 836 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER."

Introduced by: Senator Chun Oakland.

No. 837 "A BILL FOR AN ACT RELATING TO MANAGED HEALTH CARE."

Introduced by: Senator Chun Oakland.

No. 838 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."

Introduced by: Senators Chun Oakland, Chumbley.

No. 839 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."

Introduced by: Senators Chun Oakland, Chumbley.

No. 840 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENTS."

Introduced by: Senators Levin, Chun Oakland, Inouye.

No. 841 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Chun Oakland.

No. 842 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE ADDITIONAL STATEWIDE COMMUNITY-BASED GATEKEEPER TRAINING FOR TEEN SUICIDE PREVENTION AND INTERVENTION."

Introduced by: Senators Chun Oakland, Kanno.

No. 843 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REHABILITATION OF MEMBERS OF YOUTH GANGS."

Introduced by: Senators Chun Oakland, Kanno.

No. 844 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 845 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 846 "A BILL FOR AN ACT RELATING TO END OF LIFE CARE."

Introduced by: Senators Chun Oakland, Levin.

No. 847 "A BILL FOR AN ACT RELATING TO HOSPICE CARE REIMBURSEMENT."

Introduced by: Senators Chun Oakland, Levin.

No. 848 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Senators Chun Oakland, Levin.

No. 849 "A BILL FOR AN ACT RELATING TO LIVING AND DYING WITH DIGNITY."

Introduced by: Senators Chun Oakland, Levin.

No. 850 "A BILL FOR AN ACT RELATING TO MEDICAID HOSPICE CARE BENEFITS."

Introduced by: Senators Chun Oakland, Levin.

No. 851 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Senators Chun Oakland, Levin.

No. 852 "A BILL FOR AN ACT RELATING TO THE CONVERSION OF POSITIONS IN THE DEPARTMENT OF HEALTH FROM TEMPORARY STATUS TO PERMANENT STATUS."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 853 "A BILL FOR AN ACT RELATING TO SAFETY NET HEALTH PLANS."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 854 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAREER DEVELOPMENT STIPENDS FOR TEACHERS."

Introduced by: Senators Chun Oakland, Chumbley.

No. 855 "A BILL FOR AN ACT RELATING TO OFFICE OF COMMUNITY SERVICES."

Introduced by: Senators Chun Oakland, Kanno.

No. 856 "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 857 "A BILL FOR AN ACT RELATING TO EDUCATION."

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

No. 858 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senators Chun Oakland, by request, Levin.

No. 859 "A BILL FOR AN ACT RELATING TO PROFESSIONAL MENTAL HEALTH COUNSELORS AND PROFESSIONAL REHABILITATION COUNSELORS."

Introduced by: Senators Chun Oakland, Matsuura, Tam, Taniguchi, Nakata, Kanno, Chumbley, Fukunaga.

No. 860 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senators Chun Oakland, Hanabusa, Taniguchi, Levin, Kanno.

No. 861 "A BILL FOR AN ACT RELATING TO THE GENERAL FUND."

Introduced by: Senators Chun Oakland, Kanno.

No. 862 "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA."

Introduced by: Senator Chun Oakland, by request.

No. 863 "A BILL FOR AN ACT RELATING TO WILDLIFE."

Introduced by: Senator Chun Oakland.

No. 864 "A BILL FOR AN ACT RELATING TO PRIVATIZATION."

Introduced by: Senator Chun Oakland.

No. 865 "A BILL FOR AN ACT RELATING TO THE DEAF AND BLIND."

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

No. 866 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEMONSTRATION PROJECT FOR LONG-TERM CARE."

Introduced by: Senators Chun Oakland, Kanno.

No. 867 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY AND THE RIGHT TO NURSING CARE."

Introduced by: Senators Chun Oakland, Kanno.

No. 868 "A BILL FOR AN ACT RELATING TO A PILOT, TWO-YEAR HEALTH CARE PROVIDER HOTLINE."

Introduced by: Senators Chun Oakland, Kanno.

No. 869 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 870 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Chun Oakland.

No. 871 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 872 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Senators Chun Oakland, Levin, Mizuguchi.

No. 873 "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS."

Introduced by: Senators Chun Oakland, Mizuguchi.

No. 874 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR THE WAIANAE OCEAN PARK."

Introduced by: Senators Tam, Hanabusa.

No. 875 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE."

Introduced by: Senator Tam.

No. 876 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION."

Introduced by: Senator Tam.

No. 877 "A BILL FOR AN ACT RELATING TO SCHOOL REGISTRARS."

Introduced by: Senators Tam, D. Ige.

No. 878 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SCIENCE LAB ASSISTANT PILOT PROJECT."

Introduced by: Senators Tam, D. Ige.

No. 879 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Tam.

No. 880 "A BILL FOR AN ACT RELATING TO HOUSING MORTGAGES."

Introduced by: Senator Tam.

No. 881 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Tam.

No. 882 "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF AFFORDABLE HOUSING."

Introduced by: Senator Tam.

No. 883 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Tam.

No. 884 "A BILL FOR AN ACT RELATING TO FINANCING OF AFFORDABLE HOUSING."

Introduced by: Senator Tam.

No. 885 "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING MORTGAGES."

Introduced by: Senator Tam.

ADJOURNMENT

At 9:00 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Monday, January 25, 1999.

FOURTH DAY

Monday, January 25, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 9:37 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.

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

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Friday, January 22, 1999:

Senate Bill Referred to:

- No. 202 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 203 Committee on Ways and Means
- No. 204 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 205 Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
- No. 206 Committee on Labor and Environment
- No. 207 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 208 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 209 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Labor and Environment
- No. 210 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 211 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 212 Committee on Ways and Means
- No. 213 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 214 Committee on Judiciary
- No. 215 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 216 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 217 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 218 Committee on Ways and Means
- No. 219 Committee on Economic Development, then to the Committee on Ways and Means

- No. 220 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. 221 Committee on Labor and Environment, 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 Judiciary, then to the Committee on Ways and Means
- No. 224 Committee on Judiciary
- No. 225 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 226 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 227 Committee on Economic Development, then to the Committee on Ways and Means
- No. 228 Committee on Health and Human Services, 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 Economic Development, then to the Committee on Ways and Means
- No. 231 Committee on Economic Development, then to the Committee on Ways and Means
- No. 232 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 233 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 234 Committee on Ways and Means
- No. 235 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 236 Committee on Judiciary
- No. 237 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 238 Committee on Commerce and Consumer Protection
- No. 239 Committee on Commerce and Consumer Protection
- No. 240 Committee on Commerce and Consumer Protection
- No. 241 Committee on Commerce and Consumer Protection
- No. 242 Committee on Commerce and Consumer Protection
- No. 243 Committee on Commerce and Consumer Protection
- No. 244 Committee on Commerce and Consumer Protection

No. 245 Protection	Committee on Commerce and Consumer	No. 276	Committee on Education and Technology
No. 246 Protection	Committee on Commerce and Consumer	No. 277	Committee on Education and Technology
No. 247 Protection	Committee on Commerce and Consumer	No. 278	Committee on Education and Technology
No. 248 Protection	Committee on Commerce and Consumer	No. 279	Committee on Education and Technology
No. 249 Protection	Committee on Commerce and Consumer	No. 280	Committee on Education and Technology
No. 250 Protection	Committee on Commerce and Consumer	No. 281	Committee on Education and Technology
No. 251 Protection	Committee on Commerce and Consumer	No. 282	Committee on Education and Technology
No. 252 Protection	Committee on Commerce and Consumer	No. 283	Committee on Education and Technology
No. 253 Protection	Committee on Commerce and Consumer	No. 284	Committee on Education and Technology
No. 254 Protection	Committee on Commerce and Consumer	No. 285 and Housing	Committee on Government Operations
No. 255 Protection	Committee on Commerce and Consumer	No. 286 and Housing	Committee on Government Operations
No. 256 Protection	Committee on Commerce and Consumer	No. 287 and Housing	Committee on Government Operations
No. 257 Protection	Committee on Commerce and Consumer	No. 288 and Housing	Committee on Government Operations
No. 258	Committee on Economic Development	No. 289 and Housing	Committee on Government Operations
No. 259	Committee on Economic Development	No. 290 and Housing	Committee on Government Operations
No. 260	Committee on Economic Development	No. 291 and Housing	Committee on Government Operations
No. 261	Committee on Economic Development	No. 292 and Housing	Committee on Government Operations
No. 262	Committee on Economic Development	No. 293 and Housing	Committee on Government Operations
No. 263	Committee on Economic Development	No. 294 and Housing	Committee on Government Operations
No. 264	Committee on Economic Development	No. 295 and Housing	Committee on Government Operations
No. 265	Committee on Economic Development	No. 296 and Housing	Committee on Government Operations
No. 266	Committee on Economic Development	No. 297 and Housing	Committee on Government Operations
No. 267	Committee on Economic Development	No. 298 and Housing	Committee on Government Operations
No. 268	Committee on Economic Development	No. 299 and Housing	Committee on Government Operations
No. 269	Committee on Economic Development	No. 300 and Housing	Committee on Government Operations
No. 270 Affairs	Committee on Water, Land, and Hawaiian	No. 301 and Housing	Committee on Government Operations
No. 271	Committee on Education and Technology	No. 302 Services	Committee on Health and Human
No. 272	Committee on Education and Technology	No. 303 Services	Committee on Health and Human
No. 273	Committee on Education and Technology		
No. 274	Committee on Education and Technology		
No. 275	Committee on Education and Technology		

No. 304 Services	Committee on Health and Human	No. 337	Committee on Labor and Environment
No. 305 Services	Committee on Health and Human	No. 338	Committee on Labor and Environment
No. 306 Services	Committee on Health and Human	No. 339	Committee on Labor and Environment
No. 307 Services	Committee on Health and Human	No. 340	Committee on Labor and Environment
No. 308 Services	Committee on Health and Human	No. 341	Committee on Labor and Environment
No. 309 Services	Committee on Health and Human	No. 342	Committee on Labor and Environment
No. 310 Services	Committee on Health and Human	No. 343	Committee on Transportation and Intergovernmental Affairs
No. 311 Services	Committee on Health and Human	No. 344	Committee on Government Operations and Housing
No. 312 Services	Committee on Health and Human	No. 345	Committee on Transportation and Intergovernmental Affairs
No. 313	Committee on Labor and Environment	No. 346	Committee on Transportation and Intergovernmental Affairs
No. 314	Committee on Judiciary	No. 347	Committee on Transportation and Intergovernmental Affairs
No. 315	Committee on Judiciary	No. 348	Committee on Transportation and Intergovernmental Affairs
No. 316	Committee on Judiciary	No. 349	Committee on Transportation and Intergovernmental Affairs
No. 317	Committee on Judiciary	No. 350	Committee on Transportation and Intergovernmental Affairs
No. 318	Committee on Judiciary	No. 351	Committee on Transportation and Intergovernmental Affairs
No. 319	Committee on Judiciary	No. 352	Committee on Transportation and Intergovernmental Affairs
No. 320	Committee on Judiciary	No. 353	Committee on Transportation and Intergovernmental Affairs
No. 321	Committee on Judiciary	No. 354	Committee on Transportation and Intergovernmental Affairs
No. 322 Services	Committee on Health and Human	No. 355	Committee on Transportation and Intergovernmental Affairs
No. 323	Committee on Judiciary	No. 356	Committee on Transportation and Intergovernmental Affairs
No. 324	Committee on Judiciary	No. 357	Committee on Transportation and Intergovernmental Affairs
No. 325	Committee on Judiciary	No. 358	Committee on Transportation and Intergovernmental Affairs
No. 326	Committee on Judiciary	No. 359	Committee on Transportation and Intergovernmental Affairs
No. 327	Committee on Judiciary	No. 360	Committee on Government Operations and Housing
No. 328	Committee on Judiciary	No. 361	Committee on Commerce and Consumer Protection
No. 329	Committee on Judiciary	No. 362	Committee on Commerce and Consumer Protection
No. 330	Committee on Judiciary	No. 363	Committee on Health and Human Services, then to the Committee on Labor and Environment
No. 331	Committee on Judiciary	No. 364	Committee on Ways and Means
No. 332	Committee on Labor and Environment		
No. 333	Committee on Labor and Environment		
No. 334	Committee on Labor and Environment		
No. 335	Committee on Labor and Environment		
No. 336	Committee on Labor and Environment		

No. 365	Committee on Commerce and Consumer Protection	No. 388	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 366	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 389	Committee on Economic Development, then to the Committee on Ways and Means
No. 367	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 390	Committee on Education and Technology, then to the Committee on Ways and Means
No. 368	Committee on Health and Human Services, then to the Committee on Labor and Environment	No. 391	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 369	Committee on Education and Technology, then to the Committee on Ways and Means	No. 392	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 370	Committee on Commerce and Consumer Protection	No. 393	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 371	Committee on Economic Development, then to the Committee on Ways and Means	No. 394	Jointly to the Committee on Health and Human Services and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 372	Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection	No. 395	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 373	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 396	Committee on Education and Technology, then to the Committee on Ways and Means
No. 374	Committee on Ways and Means	No. 397	Committee on Education and Technology, then to the Committee on Ways and Means
No. 375	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 398	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 376	Committee on Economic Development, then to the Committee on Ways and Means	No. 399	Committee on Judiciary, then to the Committee on Ways and Means
No. 377	Committee on Economic Development, then to the Committee on Ways and Means	No. 400	Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
No. 378	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 401	Committee on Judiciary, then to the Committee on Ways and Means
No. 379	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 402	Committee on Water, Land, and Hawaiian Affairs
No. 380	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 403	Committee on Water, Land, and Hawaiian Affairs
No. 381	Committee on Economic Development	No. 404	Committee on Water, Land, and Hawaiian Affairs
No. 382	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 405	Committee on Water, Land, and Hawaiian Affairs
No. 383	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. 406	Committee on Water, Land, and Hawaiian Affairs
No. 384	Committee on Commerce and Consumer Protection	No. 407	Committee on Water, Land, and Hawaiian Affairs
No. 385	Committee on Water, Land, and Hawaiian Affairs	No. 408	Committee on Water, Land, and Hawaiian Affairs
No. 386	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs	No. 409	Committee on Water, Land, and Hawaiian Affairs
No. 387	Committee on Judiciary, then to the Committee on Ways and Means	No. 410	Committee on Water, Land, and Hawaiian Affairs
		No. 411	Committee on Water, Land, and Hawaiian Affairs

No. 412 Affairs	Committee on Water, Land, and Hawaiian	No. 446	Committee on Ways and Means
No. 413 Affairs	Committee on Water, Land, and Hawaiian	No. 447	Committee on Ways and Means
No. 414 Affairs	Committee on Water, Land, and Hawaiian	No. 448	Committee on Ways and Means
No. 415 Affairs	Committee on Water, Land, and Hawaiian	No. 449	Committee on Ways and Means
No. 416	Committee on Economic Development	No. 450	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 417	Committee on Economic Development	No. 451	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 418 Affairs	Committee on Water, Land, and Hawaiian	No. 452	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 419 Affairs	Committee on Water, Land, and Hawaiian	No. 453	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 420	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology	No. 454	Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
No. 421	Committee on Education and Technology	No. 455	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 422	Committee on Education and Technology	No. 456	Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 423	Committee on Ways and Means	No. 457	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 424	Committee on Ways and Means	No. 458	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 425	Committee on Ways and Means	No. 459	Committee on Economic Development, then to the Committee on Ways and Means
No. 426	Committee on Ways and Means	No. 460	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 427	Committee on Ways and Means	No. 461	Committee on Water, Land, and Hawaiian Affairs
No. 428	Committee on Ways and Means	No. 462	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 429	Committee on Ways and Means	No. 463	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 430	Committee on Ways and Means	No. 464	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 431	Committee on Ways and Means	No. 465	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 432	Committee on Ways and Means	No. 466	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 433	Committee on Ways and Means	No. 467	Committee on Education and Technology, then to the Committee on Ways and Means
No. 434	Committee on Ways and Means	No. 468	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 435	Committee on Ways and Means	No. 469	Jointly to the Committee on Labor and Environment and the Committee on Judiciary, then to the Committee on Ways and Means
No. 436	Committee on Ways and Means	No. 470	Committee on Judiciary
No. 437	Committee on Ways and Means		
No. 438	Committee on Ways and Means		
No. 439	Committee on Ways and Means		
No. 440	Committee on Ways and Means		
No. 441	Committee on Ways and Means		
No. 442	Committee on Ways and Means		
No. 443	Committee on Ways and Means		
No. 444	Committee on Ways and Means		
No. 445	Committee on Ways and Means		

No. 471	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 496	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 472	Committee on Ways and Means, then to the Committee on Judiciary	No. 497	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 473	Committee on Education and Technology, then to the Committee on Judiciary	No. 498	Committee on Commerce and Consumer Protection
No. 474	Committee on Judiciary, then to the Committee on Ways and Means	No. 499	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 475	Committee on Judiciary, then to the Committee on Ways and Means	No. 500	Committee on Judiciary, then to the Committee on Ways and Means
No. 476	Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means	No. 501	Committee on Ways and Means
No. 477	Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means	No. 502	Committee on Ways and Means
No. 478	Committee on Judiciary	No. 503	Committee on Ways and Means
No. 479	Committee on Education and Technology, then to the Committee on Ways and Means	No. 504	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 480	Committee on Economic Development, then to the Committee on Ways and Means	No. 505	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 481	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	No. 506	Committee on Education and Technology, then to the Committee on Ways and Means
No. 482	Committee on Labor and Environment, then to the Committee on Judiciary	No. 507	Committee on Education and Technology, then to the Committee on Ways and Means
No. 483	Committee on Economic Development, then to the Committee on Ways and Means	No. 508	Committee on Economic Development, then to the Committee on Ways and Means
No. 484	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 509	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 485	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 510	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 486	Committee on Education and Technology, then to the Committee on Ways and Means	No. 511	Committee on Commerce and Consumer Protection
No. 487	Committee on Judiciary	No. 512	Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 488	Committee on Economic Development, then to the Committee on Ways and Means	No. 513	Committee on Health and Human Services, then to the Committee on Government Operations and Housing
No. 489	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 514	Committee on Labor and Environment, then to the Committee on Judiciary
No. 490	Committee on Judiciary, then to the Committee on Ways and Means	No. 515	Committee on Labor and Environment
No. 491	Committee on Economic Development, then to the Committee on Ways and Means	No. 516	Jointly to the Committee on Labor and Environment and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 492	Committee on Judiciary	No. 517	Committee on Economic Development, then to the Committee on Judiciary
No. 493	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 518	Committee on Education and Technology, then to the Committee on Ways and Means
No. 494	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 519	Committee on Education and Technology, then to the Committee on Ways and Means
No. 495	Committee on Ways and Means	No. 520	Committee on Economic Development, then to the Committee on Ways and Means
		No. 521	Committee on Economic Development, then to the Committee on Ways and Means

- No. 522 Committee on Economic Development, then to the Committee on Ways and Means
- No. 523 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 524 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 525 Committee on Ways and Means
- No. 526 Committee on Judiciary, then to the Committee on Ways and Means
- No. 527 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 528 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 529 Committee on Labor and Environment
- No. 530 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 531 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 532 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 533 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 534 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 535 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 536 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 537 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 538 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 539 Jointly to the Committee on Education and Technology and the Committee on Ways and Means, then to the Committee on Judiciary
- No. 540 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 541 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 542 Committee on Ways and Means
- No. 543 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 544 Committee on Economic Development, then to the Committee on Ways and Means
- No. 545 Committee on Education and Technology, then to the Committee on Judiciary
- No. 546 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 547 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 548 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 549 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 550 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 551 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 552 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 553 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 554 Committee on Commerce and Consumer Protection
- No. 555 Committee on Judiciary
- No. 556 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 557 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 558 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 559 Committee on Water, Land, and Hawaiian Affairs
- No. 560 Committee on Water, Land, and Hawaiian Affairs
- No. 561 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 562 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 563 Committee on Labor and Environment, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 564 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 565 Committee on Judiciary
- No. 566 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 567 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 568 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 569 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 570 Committee on Economic Development, then to the Committee on Ways and Means
- No. 571 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 572	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 601	Committee on Judiciary, then to the Committee on Ways and Means
No. 573	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 602	Committee on Judiciary, then to the Committee on Ways and Means
No. 574	Committee on Education and Technology, then to the Committee on Judiciary	No. 603	Committee on Judiciary, then to the Committee on Ways and Means
No. 575	Committee on Judiciary, then to the Committee on Ways and Means	No. 604	Committee on Judiciary, then to the Committee on Ways and Means
No. 576	Committee on Economic Development, then to the Committee on Ways and Means	No. 605	Committee on Judiciary, then to the Committee on Ways and Means
No. 577	Committee on Education and Technology, then to the Committee on Ways and Means	No. 606	Committee on Judiciary
No. 578	Committee on Education and Technology, then to the Committee on Ways and Means	No. 607	Committee on Judiciary
No. 579	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 608	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 580	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 609	Committee on Judiciary, then to the Committee on Ways and Means
No. 581	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection	No. 610	Committee on Judiciary, then to the Committee on Ways and Means
No. 582	Committee on Judiciary, then to the Committee on Ways and Means	No. 611	Committee on Judiciary, then to the Committee on Ways and Means
No. 583	Committee on Judiciary, then to the Committee on Ways and Means	No. 612	Committee on Judiciary, then to the Committee on Ways and Means
No. 584	Committee on Judiciary, then to the Committee on Ways and Means	No. 613	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 585	Committee on Judiciary, then to the Committee on Ways and Means	No. 614	Committee on Judiciary
No. 586	Committee on Judiciary	No. 615	Committee on Judiciary
No. 587	Committee on Judiciary, then to the Committee on Ways and Means	No. 616	Committee on Judiciary
No. 588	Committee on Judiciary	No. 617	Committee on Judiciary, then to the Committee on Ways and Means
No. 589	Committee on Judiciary	No. 618	Committee on Judiciary
No. 590	Committee on Judiciary	No. 619	Committee on Judiciary
No. 591	Committee on Judiciary	No. 620	Committee on Judiciary
No. 592	Committee on Judiciary	No. 621	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 593	Committee on Judiciary	No. 622	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 594	Committee on Judiciary	No. 623	Committee on Labor and Environment, then to the Committee on Judiciary
No. 595	Committee on Judiciary	No. 624	Committee on Labor and Environment, then to the Committee on Judiciary
No. 596	Committee on Judiciary, then to the Committee on Ways and Means	No. 625	Committee on Judiciary, then to the Committee on Ways and Means
No. 597	Committee on Judiciary	No. 626	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 598	Committee on Judiciary, then to the Committee on Ways and Means	No. 627	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 599	Committee on Judiciary	No. 628	Committee on Judiciary
No. 600	Committee on Judiciary, then to the Committee on Ways and Means		

No. 629	Committee on Judiciary	No. 656	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 630	Committee on Judiciary	No. 657	Committee on Economic Development
No. 631	Committee on Judiciary	No. 658	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 632	Committee on Judiciary, then to the Committee on Ways and Means	No. 659	Committee on Ways and Means
No. 633	Committee on Judiciary, then to the Committee on Ways and Means	No. 660	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 634	Committee on Judiciary, then to the Committee on Ways and Means	No. 661	Committee on Judiciary
No. 635	Committee on Labor and Environment, then to the Committee on Judiciary	No. 662	Committee on Transportation and Intergovernmental Affairs
No. 636	Committee on Labor and Environment, then to the Committee on Judiciary	No. 663	Committee on Transportation and Intergovernmental Affairs
No. 637	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 664	Committee on Transportation and Intergovernmental Affairs
No. 638	Committee on Ways and Means	No. 665	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 639	Committee on Ways and Means	No. 666	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Education and Technology
No. 640	Committee on Economic Development, then to the Committee on Ways and Means	No. 667	Committee on Transportation and Intergovernmental Affairs
No. 641	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 668	Committee on Education and Technology, then to the Committee on Ways and Means
No. 642	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 669	Committee on Education and Technology, then to the Committee on Ways and Means
No. 643	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 670	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 644	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 671	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 645	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 672	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 646	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 673	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 647	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 674	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 648	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 675	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 649	Committee on Judiciary, then to the Committee on Ways and Means	No. 676	Committee on Transportation and Intergovernmental Affairs
No. 650	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 677	Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
No. 651	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 678	Committee on Economic Development, then to the Committee on Ways and Means
No. 652	Committee on Judiciary, then to the Committee on Ways and Means	No. 679	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 653	Committee on Ways and Means		
No. 654	Committee on Ways and Means		
No. 655	Committee on Economic Development, then to the Committee on Ways and Means		

- No. 680 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 681 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 682 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 683 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. 684 Committee on Economic Development, then to the Committee on Ways and Means
- No. 685 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 686 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 687 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 688 Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 689 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 690 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 691 Committee on Commerce and Consumer Protection
- No. 692 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 693 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 694 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 695 Committee on Judiciary
- No. 696 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 697 Committee on Judiciary, then to the Committee on Ways and Means
- No. 698 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 699 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 700 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
- No. 701 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 702 Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 703 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
- No. 704 Committee on Commerce and Consumer Protection
- No. 705 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 706 Committee on Economic Development, then to the Committee on Ways and Means
- No. 707 Jointly to the Committee on Judiciary and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 708 Committee on Economic Development, then to the Committee on Judiciary
- No. 709 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 710 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 711 Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
- No. 712 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. 713 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 714 Committee on Economic Development, then to the Committee on Ways and Means
- No. 715 Committee on Judiciary
- No. 716 Committee on Economic Development, then to the Committee on Ways and Means
- No. 717 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 718 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 719 Committee on Economic Development, then to the Committee on Ways and Means
- No. 720 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 721 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 722 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 723 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 724 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 725 Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 726 Committee on Ways and Means
- No. 727 Committee on Ways and Means

No. 728	Committee on Ways and Means	No. 753	Committee on Commerce and Consumer Protection
No. 729	Committee on Ways and Means	No. 754	Committee on Judiciary
No. 730	Committee on Economic Development, then to the Committee on Ways and Means	No. 755	Committee on Health and Human Services, then to the Committee on Judiciary
No. 731	Committee on Ways and Means	No. 756	Committee on Judiciary
No. 732	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 757	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 733	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 758	Committee on Education and Technology, then to the Committee on Ways and Means
No. 734	Committee on Labor and Environment, then to the Committee on Judiciary	No. 759	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 735	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. 760	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 736	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 761	Committee on Commerce and Consumer Protection
No. 737	Committee on Labor and Environment, then to the Committee on Health and Human Services	No. 762	Committee on Judiciary
No. 738	Committee on Labor and Environment, then to the Committee on Health and Human Services	No. 763	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 739	Committee on Judiciary	No. 764	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
No. 740	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 765	Jointly to the Committee on Government Operations and Housing and the Committee on Judiciary, then to the Committee on Ways and Means
No. 741	Committee on Judiciary	No. 766	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 742	Committee on Economic Development, then to the Committee on Commerce and Consumer Protection	No. 767	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
No. 743	Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 768	Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 744	Committee on Economic Development, then to the Committee on Ways and Means	No. 769	Committee on Commerce and Consumer Protection
No. 745	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 770	Committee on Judiciary, then to the Committee on Ways and Means
No. 746	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 771	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 747	Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means	No. 772	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 748	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 773	Committee on Commerce and Consumer Protection
No. 749	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 774	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 750	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 775	Committee on Commerce and Consumer Protection
No. 751	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 776	Committee on Commerce and Consumer Protection
No. 752	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 777	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

- No. 778 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 779 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 780 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means
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- No. 784 Committee on Economic Development, then to the Committee on Ways and Means
- No. 785 Committee on Commerce and Consumer Protection
- No. 786 Committee on Economic Development, then to the Committee on Ways and Means
- No. 787 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
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- No. 792 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
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- No. 794 Committee on Judiciary, then to the Committee on Ways and Means
- No. 795 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 796 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 797 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 798 Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 799 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 800 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 801 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 802 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 803 Jointly to the Committee on Government Operations and Housing, the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 804 Committee on Economic Development, then to the Committee on Ways and Means
- No. 805 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. 806 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 807 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 808 Committee on Transportation and Intergovernmental Affairs
- No. 809 Committee on Economic Development, then to the Committee on Ways and Means
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- No. 811 Committee on Economic Development, then to the Committee on Ways and Means
- No. 812 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 813 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
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- No. 818 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
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- No. 820 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 821 Committee on Labor and Environment, then to the Committee on Judiciary

- No. 822 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
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- No. 839 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 840 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 841 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 842 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 843 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 844 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 845 Committee on Commerce and Consumer Protection
- No. 846 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 847 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 848 Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 849 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 850 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 851 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 852 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 853 Committee on Health and Human Services, then to the Committee on Ways and Means
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- No. 855 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 856 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 857 Jointly to the Committee on Education and Technology and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 858 Committee on Economic Development, then to the Committee on Judiciary
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- No. 864 Jointly to the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 865 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 866 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 867 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 868 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 869 Committee on Education and Technology, then to the Committee on Ways and Means

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| <p>No. 870 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p> <p>No. 871 Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 872 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p> <p>No. 873 Committee on Commerce and Consumer Protection</p> <p>No. 874 Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 875 Committee on Commerce and Consumer Protection</p> <p>No. 876 Committee on Government Operations and Housing, then to the Committee on Ways and Means</p> <p>No. 877 Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 878 Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 879 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, then to the Committee on Ways and Means</p> <p>No. 880 Committee on Commerce and Consumer Protection</p> <p>No. 881 Committee on Commerce and Consumer Protection</p> <p>No. 882 Committee on Commerce and Consumer Protection</p> <p>No. 883 Committee on Government Operations and Housing, then to the Committee on Ways and Means</p> <p>No. 884 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection</p> <p>No. 885 Committee on Commerce and Consumer Protection</p> | <p>No. 8 Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 9 Committee on Judiciary</p> <p>No. 10 Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 11 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>No. 12 Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 13 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 14 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p> <p>No. 15 Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>No. 16 Committee on Judiciary</p> <p>No. 17 Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 18 Jointly to the Committee on Health and Human Services and the Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 19 Committee on Commerce and Consumer Protection</p> <p>No. 20 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development</p> <p>No. 21 Committee on Transportation and Intergovernmental Affairs</p> <p>No. 22 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Transportation and Intergovernmental Affairs</p> <p>No. 23 Committee on Economic Development, then to the Committee on Ways and Means</p> <p>No. 24 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 25 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 26 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means</p> |
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**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Friday, January 22, 1999:

- | | |
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| <p>Senate
Concurrent
Resolution</p> <p>No. 4</p> <p>No. 5</p> <p>No. 6</p> <p>No. 7</p> | <p>Referred to:</p> <p>Committee on Health and Human Services</p> <p>Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>Committee on Education and Technology, then to the Committee on Ways and Means</p> <p>Committee on Education and Technology, then to the Committee on Ways and Means</p> |
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REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Friday, January 22, 1999:

- | | |
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| <p>Senate
Resolution</p> <p>No. 4</p> | <p>Referred to:</p> <p>Jointly to the Committee on Transportation and Intergovernmental Affairs and the</p> |
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Committee on Economic Development, then to the Committee on Ways and Means

No. 5 Committee on Health and Human Services

No. 6 Committee on Economic Development, then to the Committee on Ways and Means

No. 7 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 8 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

At 9:41 o'clock a.m., on motion by Senator Chun, 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 Twentieth Legislature of the State of Hawaii, Regular Session of 1999, was called to order at 10:02 o'clock a.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twentieth Legislature:

The First Lady of the State of Hawaii, Mrs. Vicky Cayetano. She was presented a lei by Senator Kawamoto;

The Honorable Mazie Hirono, Lieutenant Governor of Hawaii, and Mr. Leighton Oshima. They were presented leis by Representative Brian Schatz and Senator Suzanne Chun Oakland;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawaii State Supreme Court. He was presented a lei by Representative Sylvia Luke;

The Honorable Neil Abercrombie, United States House of Representatives;

The Honorable Patsy Mink, United States House of Representatives;

The Honorable John D. Waihee, former Governor of the State of Hawaii, and Mrs. Waihee;

Mrs. Jean Ariyoshi, wife of former Governor George Ariyoshi;

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 Mufi Hanneman, Chair, Honolulu City Council;

The Honorable Patrick Kawano, Chair, Maui County Council;

Ms. Rowena Akana, Chair, Office of Hawaiian Affairs;

Trustee Clayton Hee, Office of Hawaiian Affairs;

Rear Admiral Joseph J. McClelland, Jr., Commander, 14th Coast Guard District; and

Members of the Consular Corps.

The Speaker then appointed Senators Avery Chumbley, Les Ihara, Jr., Jonathan Chun and Whitney Anderson, on behalf of the Senate, and Representatives Marcus Oshiro, Ed Case, Nobu Yonamine and Barbara Marumoto, on behalf of the House of Representatives, to escort the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii, to the rostrum.

Senator Carol Fukunaga and Representative Bertha Kawakami presented Governor Cayetano with maile and ilima leis.

The Speaker then presented to the members of the Twentieth Legislature and guests the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii.

The Governor addressed the Joint Session as follows:

"Mr. President, Mr. Speaker, Lt. Governor Hirono, Chief Justice Moon, Congressman Abercrombie, Congresswoman Mink, Mayor Harris, Mayor Yamashiro, members of the County Councils, members of OHA, distinguished guests, members from our military -- Aloha.

"We are truly blessed with the duty of leading our State into the next century. For this, I thank the people of Hawaii for giving me the privilege of serving the public for the past 25 years.

"I thank our First Lady, my wife Vicky, our children, our family, and all who made it possible for this Kalihi Boy to stand before you today as Hawaii's Governor.

"This morning it is a privilege to make my fifth report to you on the state of our State. We all know that the past four years have not been easy. When I took office in December, 1994, the state government found itself facing the biggest fiscal crisis in Hawaii's history.

"Since then, we've dealt with a projected revenue shortfall of about \$612 million and turned it into a \$154 million surplus. We've reduced government spending to pre-1995 levels.

"Today, the State is better off than it was in 1994. A few months ago, our State's bond rating was upgraded from A+ to AA. Last year, the conservative CATO Institute gave us a B+ for good fiscal management, and I must tell you that only two states got A's. So we did pretty good.

"In 1994, we pledged to make education our highest priority, and we kept our word. Through our accelerated \$1 billion capital improvement program, we built a record 11 new schools and 900 new classrooms, as well as gyms, libraries and other educational facilities.

"We pledged to increase teachers' salaries and we did. And we accomplished something the Board of Education had been working hard to achieve for more than 25 years -- we got our teachers to agree to extend the school year by seven days.

"We gave our university the autonomy it needs to find greatness. We increased faculty salaries and negotiated a permanent home for UH-West Oahu in the hills of Kapolei.

"We passed a mandatory approval law to make the state government more time-sensitive to applications for permits and licenses. We reduced the number of business forms for new businesses to a single unified form.

"We have pursued and successfully attracted world-class high tech and telecommunications companies like Square USA, Uniden, ESS Technology and 'Avant!'

"We gave the tourist industry the biggest boost in our State's history -- a record \$60 million for marketing, and we waived the landing fees to encourage more flights to Hawaii. We opened our world-class Hawaii Convention Center, and bookings today are estimated to bring in \$1.6 billion of new direct spending.

"And while we have vigorously pursued economic development, we have been sure not to have done it at the expense of our beautiful environment -- as we demonstrated in our actions on Ka Iwi and the Hanalei River. And that will be the guide that we will follow in the future.

"Together -- and it has been a joint effort between the Executive and Legislative Branches -- we've done a lot over the past four years.

"The results of our efforts seem mixed. Job counts are down, but overall employment is up. Real estate sales are up. Some businesses continue to fail, but according to Dun & Bradstreet, new business starts are up by 15 percent over last year -- mainly in retailing, telecommunications, high tech, insurance and healthcare.

"Tax revenues have grown over the past ten months, confounding our economic experts who predicted they wouldn't, and who seem unable to tell us where the increased revenue is coming from.

"Clearly, Hawaii would be doing better if the Asian economy had recovered, but we cannot control Asia any more than we can control our weather. So let us focus on those matters over which we have some control.

"Like those who see the glass as being half-full, I believe that Hawaii's economy has bottomed out and we are beginning to see a modest recovery. But all of us here today all know that more needs to be done -- not just by the state, but by all of us together.

"And let me say to those that are critics in the business community -- we in the state government can help improve the business climate, we can make things easier, but in the end, business -- big and small -- must take responsibility for their own success or failure.

"In the next four years, my administration's focus will be in the following areas.

"First, we will continue our efforts to make the state more efficient and productive.

"Second, we will continue to make education our very highest priority, and maximize our resources to build a well-educated workforce with skills to compete in the twenty-first century.

"Third, we will continue our efforts to reduce our citizen's tax burden.

"Fourth, we will improve the business climate and pursue economic diversification to reduce our State's reliance on tourism.

"And, we will do so by building on our strengths -- our unique location, our diverse culture, our natural environment -- and most of all, our people, as our 'competitive business advantages.'

"The solutions we shape, the programs we propose, will be created within the framework of the values which make Hawaii a very special place.

"Economic prosperity is meaningless if it comes at the expense of Hawaii's precious environment, our culture, our quality of life -- our soul.

"Now let me share with you in greater detail what my administration will do over the next four years.

"First, we want to make the state government more efficient and productive.

"You know, I am very, very proud of our state employees, and this morning, I want to introduce someone who epitomizes the best of our state workforce. She worked for the State for 42 years before retiring a few weeks ago from my office. Not only was she an exemplary employee, but she never took one day of sick leave in all of those 42 years. Incredible! In fact, I am told that upon the birth of her son, she left early one Friday to give birth to her son, and was back in the office at work on Monday! I do not recommend that today to you ladies. (Laughter.)

"Ladies and gentlemen, I want you to meet an extraordinary public servant and an extraordinary worker, Florence Yamada! (Ms. Yamada rose to be recognized.)

"It's because of remarkable workers like Florence that some of our state departments have excelled in providing public service even in the face of budget cuts.

"For example, for the past three consecutive years, the federal government has ranked the Department of Human Services (much criticized in the media sometimes) first and second in the nation for efficiency and accuracy in the administration of the food stamp and welfare program.

"Last year, the federal government recognized the department for its innovative welfare-to-work programs -- which put more welfare recipients back in full- or part-time jobs per capita than any western state -- an extraordinary achievement, given our State's poor economy.

"There are many state workers like Florence Yamada. And, in every state department -- from the Department of Business to the Department of Defense to the Department of Land and Natural Resources to the Department of Labor -- there are success stories of innovation and efficiency. But these stories have come in spite of the current civil service system rather than because of it.

"The past four years have led me to conclude that Hawaii's 60-year-old Civil Service System is obsolete. With nearly 1,700 job classifications, the system is rigid, inflexible -- unable to make timely responses to public needs. The system stifles employees who are innovative, hardworking and who want to do a good job.

"For Hawaii to prosper in the New Millennium, state government must be more flexible and state employees must be empowered to make timely and responsible decisions.

"Therefore, it is absolutely critical that we develop and build a new Civil Service System which encourages innovation, rewards hard work, and is empowered to adapt to constant change.

"This morning, I am calling on you to join us in rebuilding our State's Civil Service System. To this end, I have asked my Director of Human Resources Development, a former colleague of yours in the Senate, former Senator Mike McCartney, to develop a plan to modernize the system -- to meet the needs and challenges of our global society.

"By the next legislative session -- one year from now -- we will present our proposed reforms for your consideration and approval.

"This is not about layoffs -- it's about change, it's about empowering state employees and trusting them to do what's right.

"As a start, and to show that we are serious, I will propose a bill which will repeal the current system by June 30, 2000. By clearing the deck, we will demonstrate to the public that we are earnest in our desire to reform Civil Service. By clearing the decks, we will be held accountable for assuring that Civil Service will be reborn in Hawaii.

"I propose no task force, no blue ribbon committee. But I assure you we will invite all stakeholders -- state workers, labor union leaders, business and the public -- to join us in this effort.

"The time -- one year -- may seem short, but for years now we have all known what has to be done. Now is the time we must do it!

"I want to talk a little bit about rules and regulations.

"Three years ago, you empowered a task force of small business people to reform the state rules and regulations. After two years of hard work, little changed. The result was not surprising, because reforming state rules and regulations is a complicated and difficult process. Most rules and regulations can be justified. But finding out which ones are obsolete or no longer needed can be best done by working with state employees -- many of whom themselves are frustrated by these very same rules and regulations.

"Our State has more than 20,000 pages of rules and regulations. Today, we have rules which are clearly obsolete. Rules covering mangers and livery stables. Rules covering a fund to deal with, get this, the bubonic plague. And even where justified, we have rules which are too long, too complicated, too difficult for the common person to understand. For example, there are 22 pages of rules covering frozen desserts alone!

"These rules, these obsolete, these unnecessary rules, these complicated rules make it difficult for state employees to do their jobs. And these rules can impose and extract a heavy cost to our business community and discourage investment in Hawaii.

"Therefore, as part of our campaign to reform civil service, we will make streamlining our rules and regulations a very high priority. To this end, I have asked Lt. Governor Hirono to head the equivalent of a rule-cutting SWAT team (she says SWAT stands for slice waste and tape) to reduce state rules and regulations by 40 percent over the next four years -- a very, very ambitious goal, but one that we feel that we at least must shoot for.

"And now I want to say something to you about the relationship between the Executive Branch and the Legislative Branch. We know that you want us to become more efficient and productive and more responsive, but the state government cannot become more efficient and productive if it is micromanaged by the Legislature. Just as it is with private business, state government must have the flexibility to respond in a timely and appropriate fashion to public demand for services.

"Let's take the Department of Commerce and Consumer Affairs because I think it is a good example of how a state government can turn things around. DCCA has become more innovative, more responsive and more self-supporting because it has greater flexibility. You gave them greater discretion over the setting of user fees, for example, and how they process licenses. And today, DCCA is 93 percent self-sufficient. I ask you to approve legislation, which I will submit, which will give the same discretion to all other state departments as well.

"Our health corporation is struggling because it is being micromanaged by the rules that were set in the law establishing its existence some years ago.

"If you want state government to improve -- as I know you do -- you must learn to trust and to let go!

"The recent Tobacco Settlement will allow our State to recover a portion of the enormous health care costs smoking and tobacco use have caused us. I commend Attorney General Margery Bronster and her office for the fine work they have done.

"Under the \$1.13 billion settlement, payments are expected to begin in about the year 2000 for a period of approximately 25 years or so. But first, a final judgment must be obtained.

"In anticipation of the final judgment, I propose dividing the settlement equally between two trust funds: (1) a Tobacco Settlement Trust Fund to support anti-smoking initiatives, education and to expand children's health programs; and (2) a Rainy Day Trust Fund for use in future economic emergencies.

"The Tobacco Settlement Trust Fund will be used to educate the public in the hazards of smoking and it will be a symbol of our commitment to promoting good health for the people of Hawaii.

"The Rainy Day Fund will accomplish two goals. First, it will obviate the need for us to have a carryover balance each year for budgeting purposes, giving us greater flexibility with our revenue. But more important, it will be our legacy of fiscal prudence for generations to come.

"Nothing is more important to me than the education of our children. Over the past four years, we gave education our highest priority -- increasing teachers salaries, extending the school year, and building a record number of new schools, classrooms and other facilities.

"This year, in response to our desire to have our eighth graders computer literate before the end of four years, I added \$20 million a year to our capital improvement budget to upgrade, where needed, the power capacity of all public schools to accommodate more computers and, where appropriate, to install air conditioning.

"Over the years, the State has focused mainly on providing greater funding for our public schools as a means of improving our public school system. But surveys -- national surveys -- reveal that the only states which have experienced significant increases in student achievement are those which hold their schools, their educators, their administrators accountable for performance.

"Contrary to the cries of our critics, Hawaii's public schools are not the worse in the nation. However, we are not the best either, and I take no comfort in the fact that we can be called average. Like you, I want our public schools to be the best that they can be. Therefore, while my administration will continue to support the funding requirements for public education, as we have done, we will look to developing ways to measure and improve student and teacher performance.

"Today, we start by joining President Clinton in getting schools to become more accountable. Hawaii is lucky -- truly lucky -- to have a nationally recognized scholar as our Superintendent -- a scholar recognized in school accountability and assessment. Ladies and Gentlemen, join me in welcoming Dr. Paul LeMahieu, our new School Superintendent. (Dr. LeMahieu rose to be recognized.)

"With Dr. LeMahieu's guidance, we propose a system of performance measures which is fair, simple and, we believe, based on common sense. We propose that each school set

achievement goals which measure performance against its own past history, rather than against other schools.

"This would include performance indices such as student test scores, school attendance, student dropout rates, and parental involvement. Each school would set up goals to improve on its past performance, perhaps the average of the past three years. To motivate, to achieve parental involvement, we must urge parents to get involved in setting these goals for their children.

"Each year, every school would submit a final report to the Superintendent. Any school which did not achieve its goals would be evaluated by the Superintendent who, if appropriate, would make recommendations for improvement or changes in personnel.

"This is a simple, inexpensive and common sense way to determine how a school is progressing overall and how we can determine which schools need assistance.

"It can be implemented in the beginning of the next school year, I believe, but it should be seen as a complement to the more sophisticated, expensive performance measures now being developed.

"Simply throwing money at our schools will not improve them. We could provide a computer for every child and teach the child how to become computer literate. I remember when I was in school, I learned how to use the slide rule. Technically, I never learned how to think to solve those problems. If we don't teach our children how to think, how to solve problems -- then we would have failed.

"These skills, the skills of critical thinking, which are so important to today's global society, are taught best in an environment of academic freedom -- where schools can experiment, innovate, and try new ideas without fear of failure.

"To this end, I propose -- on a pilot basis -- that we establish 'Schools for the New Century.' These 'New Century Schools' will be given the following freedoms:

Freedom to negotiate their own collective bargaining contract or not to have collective bargaining at all;

Freedom from the constraints of our state procurement code;

Freedom to control and create their own curriculum;

Freedom to engage in true lump sum budgeting without interference from the Department of Education, the Superintendent, and the Board of Education; and

Freedom to select their principals and their teachers without constraints from existing contracts.

"The schools would be administered by a principal answerable to a school committee comprised of faculty, parents and community leaders. But at the end of each school year, the schools would be audited by the Department of Education to measure performance.

"The two schools I have in mind to be the first are the Kapolei Middle School and the Kapolei High School. These schools present a rare opportunity to us. They have not yet been built but the money is there. Moreover, they are located in an area where parental and community interest in education is high. Tomorrow, I will submit legislation to achieve these new Schools for the New Century for your consideration.

"Now let me turn to something that we talked a lot about in the campaign and that we'd like to see happen, and this is reducing class size. This is something all of us would like to see happen. But the costs to do it in a meaningful way, on a meaningful scale, we all know is prohibited. However, there

are less costly alternatives which will help our teachers in the classrooms.

"First, our teachers spend too much time disciplining unruly students. Therefore, I propose a review of the rules on school discipline. A review of Chapter 19 is long overdue. Recent United States Supreme Court decisions make it possible for us to give school administrators greater authority and flexibility in disciplining unruly students. Chapter 19 should be amended accordingly.

"Second, I propose that the DOE establish alternative schools to accommodate students who may be expelled from regular school. This is an area which could be privatized. Funding would come as the allotted state cost per student would follow the student to the alternative school.

"The many years of our Department of Education, of the Legislature, of the Executive Branch focusing on improving the school system through college prep curriculum has made technical education a stepchild in our public schools. And yet studies show less than half of our high school students go to college.

"To provide greater access to quality technical education, I propose that high school students be allowed to take technical courses at the community colleges -- and have those courses count toward their graduation.

"Some years ago, I was speaking to people who ran the auto mechanics program at Honolulu Community College. I was told that the equipment there, the course there, is state of the art; that their graduates could walk out of Honolulu Community College and work for General Motors or anyone else as auto mechanics. But I was also told that the auto mechanic programs in our high schools are obsolete; that many of the students that HCC gets, have to be taught all over, have to start from ground zero.

"My proposal would help resolve that problem, would help address the shortage of technical education in our schools because we simply do not have the resources to get technical education up to par with college prep.

"This would require greater cooperation and articulation between the Department of Education and the University of Hawaii. We, this administration, will take the lead in bringing the University of Hawaii and the Department of Education together to resolve this issue.

"Finally, we need to build a new millennium workforce. In this regard, I will propose legislation which will establish a millennium workforce training program focusing on the areas, the economic areas, in which we have a shot to become successful -- the areas of healthcare, biotechnology, high tech, telecommunications and environmental sciences, for example. These are economic niches which have great potential for us. But we cannot exploit these potentials without a skilled workforce.

"Let me turn now to the institution that's most critical to the economic development of this State -- the University of Hawaii.

"Last year, we gave the University of Hawaii autonomy -- the single most important tool for its growth and development and for its march to greatness. The UH is critical to Hawaii's economic development. Therefore, over the next four years, we will continue to support the University.

"Planning and building the education centers for Kona and Molokai will be given high priority. Planning for the new UH-West Oahu campus in Kapolei gives us the rare opportunity to design and build a 21st Century University from the ground up. We reaffirm our support for UH-West Oahu and we will work with the Board of Regents to speed up its development.

"We cannot ignore the fact that the University of Hawaii, besides being an educational institution, is also an economic entity. I will propose that the college of Astronomy, which I believe rightfully belongs at UH-Hilo, in fact begin to move there. We will work with the Board of Regents to move the support staff from the University's Institute for Astronomy to the research park at UH-Hilo in two years. This will provide the infrastructure for high technology developments on the Big Island and demonstrate that Hilo can become the world leader in land-based astronomy.

"Part of my vision for this State is Hawaii becoming the premier health care center of the Pacific and a better medical school is crucial to our vision for Hawaii. Therefore, I am taking this opportunity to reaffirm my support for the UH Medical School and we pledge to work with the UH Board of Regents and the President to enhance the quality of the medical school.

"By now you are well aware of the plans that we have to develop a high tech park in Kakaako. To stimulate development in high tech and biotechnology, we will invite the university to become a partner in the developing of that proposed high tech park.

"Through a consortium of state, business and university interests, we hope to achieve the benefits experienced by such coalitions in North Carolina's Research Triangle and Stanford's Industrial Park. And, Mr. President, we look forward to working with you and the Board of Regents to in fact make that park a reality.

"Finally, we will convene a meeting of the leaders of all of our universities -- public and private -- to discuss and develop a common strategy to market Hawaii as the Education Center of the Pacific.

"Education, American education in particular, is the best in the world. And that is the way it is seen throughout the rest of the world. Every year, hundreds of thousands of foreigners flock to our American universities for their education. We need to get a greater share of those students here in Hawaii. That will be good for our university, good for our economy and good for our State.

"Let me turn now to tax reform. Over the past four years, we've made the state government more efficient, we reset priorities and today state government is less of a burden on the overall economy. Last year, we approved Hawaii's biggest tax cut in state personal income taxes -- \$750 million over four years. I might add that the CATO Institute states that it is the second biggest tax cut in the nation.

"We wish to keep this momentum going. Therefore, we will propose the following.

For business development:

- (1) A 50 percent reduction in corporate and franchise tax rates -- to tell the business world Hawaii's business climate has changed;
- (2) An exemption from general excise taxes for exported services -- to allow our professionals to compete on the global level;
- (3) A double deduction for employer costs for prepaid healthcare insurance -- to encourage business to hire full time workers and to give all of our businesses which have the full time workers a tax break;
- (4) A research and development income tax credit for selected new industries -- to attract new industries to diversify our economy;

- (5) A 5-year tax holiday for high tech companies and biotech companies, Mr. Speaker, which are located in the Kakaako High Tech Park; and finally
- (6) An extension of the hotel renovation tax credit, passed several years ago, now to include new construction to help our hotel industry.

For individuals, we propose the following:

- (1) A reduction in the state personal income tax that would be triggered -- a circuit breaker would be triggered -- if revenues reach a certain level; and
- (2) A long-term care tax deduction for individuals and family members to help our senior citizens and their loved ones deal with the high cost of long-term care.

"My friends, this is not a wish list. We have looked at these measures and we believe we can afford them and we need your support to make them a reality.

"Earlier, I talked about our decisions on Ka Iwi and Hanalei, and we stated then that we would not pursue economic development initiatives at the expense of Hawaii's pristine environment. Hawaii's beautiful environment is the magnet that draws people to our State. Therefore, I propose that we begin discussion on the following proposal -- that a small and modest portion of the transient accommodation tax be earmarked to preserve, protect and sustain Hawaii's natural resources and we expect to discuss this.

"Over the past four years, you have heard me talk about my vision for Hawaii's economic future. I have stated repeatedly that I believe Hawaii will become the premier education center of the Pacific -- where the people of the world can come to teach and learn at world-class educational institutions; that I believe Hawaii will become the healthcare center of the Pacific -- a place blending the healthcare knowledge of the East, the West and the Pacific; and that I believe Hawaii will become a center for commerce -- employing a network of state-of-the-art technology touching every corner of the globe.

"For the past three years, I have kept you abreast of the progress we have made in pursuing these initiatives. This morning, however, I would like to talk in the time remaining, I would like to talk about some of the new and exciting initiatives that are on the horizon.

"Today I am pleased to announce that in March, 2000 the Pacific Basin Economic Council -- made up of over 1,100 international business organizations -- will hold its annual International General Meeting at the Hawaii Convention Center.

"PBEC represents over 1,100 corporations in 20 economies throughout Asia, North America and South America. Big corporate names like Motorola, Toyota, Sony are members. These business organizations account for \$4 trillion in global sales and employ more than 10 million people throughout the world.

"This is no small gathering -- it is a major international event in which world leaders in government and business routinely participate.

"Historically, countries throughout the Asia-Pacific vie each year for the right to host this prestigious meeting. Now, PBEC is considering giving Hawaii or making Hawaii the event's permanent home.

"This would not have been possible were it not for the hard work of some individuals, and one in particular who had a tremendous role in doing this -- and he's done it and he's worked hard at it because he loves Hawaii -- I'd like to introduce to you this morning. Ladies and Gentlemen, join me

in thanking PBEC's Secretary General, Robert G. Lees, for bringing this important business meeting to Hawaii. (Mr. Lees rose to be recognized.)

"For Hawaii, this is a major breakthrough. It's a major breakthrough in changing our image and establishing our State as a true international gathering place for business. And it has made Hawaii a strong contender for the annual World Trade Organization meeting this year, and all of us awaited breathlessly for the decision as to where the WTO would be held.

"Let me now turn to something that the Legislature is very interested in, that the Senate is pushing, that the Senate President is pushing in particular, and this is the business of call centers. You have introduced legislation to establish Hawaii as a call center for the rest of the world. Let me say that last week, last week Thursday I think it was, I had the pleasure of participating in a press conference for another breakthrough. The Southco Company -- a billion dollar high tech hardware company -- established Hawaii's first call center at Kapolei.

"Southco's President and CEO Stephen Kelly told us that he was amazed to discover that Hawaii may have the best telecommunications system in the world. Let me tell you what Mr. Kelly told me. They came to Hawaii for the following reasons: our location -- our strategic location allows them to service clients on the mainland and in Asia the very, very same day; we are the most western American state, and as such, they are more comfortable in dealing with American laws in doing business; our University of Hawaii has been a hidden gem to these high tech companies -- they are impressed by the quality of our graduate students at the University of Hawaii and School of Computer Sciences; they are impressed by the quality of life here; they are impressed by the fact that Hawaii, the place as a state, ranks very low when it comes to the indices of crime.

"The biggest problem they had, he said to me, was not any discussion about the poor business climate in this State -- he never mentioned it one time -- the biggest problem he had was convincing his directors that Hawaii was not just a place for fun, games, and surf -- and he did that. And with this breakthrough I believe if we help Southco succeed, I believe, Mr. President and Mr. Speaker, that the Legislature's drive to make Hawaii a call center is going to become a reality.

"I might add, the City of Kapolei has really put Hawaii on the map with its top quality telecommunications environment. Its satellite capabilities will become even greater when a company called Loral Orion, an international satellite company, launches a new satellite later this year. The people from Loral tell us that they selected Kapolei because of its unique access to both Asian and U.S. satellites.

"We have advantages that most of us never knew about. These now are being brought to the floor and we must exploit these advantages to make our economy stronger.

"Last year, working with the Weinberg Foundation, working with the private hospitals, we announced the first statewide telemedicine network in the nation -- a network which links up all of our hospitals, public and private. Next week, history will be made in this State, because for the first time in world history, telemedicine will be used to perform eye surgery on a 16-year old girl on the Big Island.

"Dr. Jorge Camara at the St. Francis Medical Center in Honolulu will guide (they call it telementor) via telemedicine, a doctor at the North Hawaii Community Hospital on the Big Island, as she removes an eye tumor from her patient. I will be there personally to witness this most amazing event. It is a major step forward, once again, in our quest to become the premier health care center of the Pacific.

"Let me talk about the millennium -- something of course that we all want to celebrate. To usher in the new millennium, I

will issue an executive order establishing The New Millennium Celebration Commission. This commission will begin planning a year-long celebration of the year 2000, starting with a December 31, 1999 New Year's Eve Concert in the Diamond Head crater. The concert -- featuring local musicians -- will be televised statewide. One TV station has donated this time and it will be shown not only in Hawaii but also on the mainland and in Japan.

"The Commission, and I would like to introduce the chair because I've asked him to serve as chair and I'm not sure that he knew how big it was going to be. Former Governor John Waihee will chair this Commission. (Former Governor John Waihee rose to be recognized.) This Commission will plan a series of events, including multicultural celebrations. But the one thing that really strikes me and excites me is that we will embark on a campaign to bring home -- to bring home -- every Hawaii resident who is outside the State . . . bring them home. It will be called 'Come Home Hawaii.'

"This celebration, of course, is designed to boost our tourist industry and we are targeting -- we are targeting -- an additional 500,000 visitors in the year 2000 -- a great way to showcase Hawaii in the first year of the New Century.

"Though I have focused today primarily on economic issues, we all know that there are many other important issues facing our State. The fact that I haven't discussed them today does not mean they are not important. Nor does it mean that we have abandoned them.

"Earlier in my remarks, I said that my administration would shape solutions according to the values we hold as a community.

"There are many pressing social issues, such as Native Hawaiian rights, death with dignity, domestic partnerships, child abuse, domestic violence and others that I have not discussed here today. But we will present proposals dealing with all of these areas to the Legislature in the coming days. While these social issues may draw controversy, we believe they are important and should be debated and discussed and considered.

"Let us follow the wisdom of our great Queen Liliuokalani, who said, 'Never cease to act for fear that you may fail.'

"Let me close now with these thoughts. Over the years, Hawaii's economy changed from sea trading, to big sugar and big pineapple, and over the past forty years, to a strong reliance on tourism. Throughout these changes, however, the spirit of aloha -- our host people's greatest gift to the rest of the world and to us non-Hawaiians -- has remained constant. It has endured because our forefathers -- in spite of their differences -- understood its central role to the unique greatness of Hawaii as a society. It has endured because they lived it, they strengthened it, they nurtured it and they passed it on, unchanged, from generation to generation.

"The spirit of aloha is the glue which holds us together. It is the heart and soul of the Hawaii we all love today and the Hawaii that we want to pass on to our children.

"Today, I ask you to join me in pledging that all of us here will work together to assure that the spirit of aloha will be strengthened, preserved and passed on to the children of the New Millennium.

"We owe this to our children -- as one day they too will owe it to theirs. In these times of frequent, rapid and sometimes unwanted change, that will be our greatest gift to them of all.

"Soon we will enter the twenty-first century. We have been blessed as the generation of leaders which will take Hawaii into the New Millennium. What we do over the next four years may set the direction for the next decade, perhaps longer.

"Knowing this -- I am awed by the enormity of the responsibility -- grateful for the privilege of leadership -- and excited by the possibilities of making positive and meaningful changes to build a better Hawaii.

"Members of the Legislature, I look forward to working with you!

"Thank you and aloha."

Senate President Norman Mizuguchi then rose and stated:

"Thank you very much Governor Cayetano, for sharing your message with members of the House of Representatives and Senate and the people of Hawaii.

"I'm sure I speak for the House when I say that the leadership of both the House and the Senate will give your proposals our full attention and consideration.

"We pledge to work collaboratively with you during this session. Our minds and doors are open to your ideas and proposals.

"In an age where change is the rule, we've heard your call for change -- and change we must.

"It is each of us, representatives of the people, along with our consciences, who will bring about this change. Achieving economic recovery and reclaiming the lost dreams of the less fortunate -- the displaced workers, the sick and the aged -- are our common goal.

"As Robert Frost wrote, 'We have promises to keep and miles to go before we sleep.'

"Governor, mahalo again for your insightful, bold and challenging state-of-the-state address.

"If there is no further business by the members of the Senate and the House of Representatives, I now declare this Joint Session adjourned."

At 10:57 o'clock a.m., President Mizuguchi declared the Joint Session adjourned.

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, 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. 886 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS FOR THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 887 "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT."

Introduced by: Senator Mizuguchi, by request.

No. 888 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."

Introduced by: Senator Mizuguchi, by request.

No. 889 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 890 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."

Introduced by: Senator Mizuguchi, by request.

No. 891 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Senator Mizuguchi, by request.

No. 892 "A BILL FOR AN ACT RELATING TO JUVENILES."

Introduced by: Senator Mizuguchi, by request.

No. 893 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 894 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 895 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT SHORTAGE CATEGORY DECLARATION FOR PERSONNEL IN THE JUDICIARY IN THE STATE OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 896 "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS."

Introduced by: Senator Mizuguchi, by request.

No. 897 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 898 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS."

Introduced by: Senator Mizuguchi, by request.

No. 899 "A BILL FOR AN ACT RELATING TO JURORS."

Introduced by: Senator Mizuguchi, by request.

No. 900 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Mizuguchi, by request.

No. 901 "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 902 "A BILL FOR AN ACT RELATING TO RECORDS MANAGEMENT SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 903 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."

Introduced by: Senator Mizuguchi, by request.

No. 904 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 905 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR PROJECTS IN THE COUNTY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 906 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 907 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY TO SERVE AS A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES."

Introduced by: Senator Mizuguchi, by request.

No. 908 "A BILL FOR AN ACT RELATING TO THE RETURN AND RECEIPT OF SPECIAL CASE ABSENTEE BALLOTS."

Introduced by: Senator Mizuguchi, by request.

No. 909 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Senator Mizuguchi, by request.

No. 910 "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT."

Introduced by: Senator Mizuguchi, by request.

No. 911 "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES."

Introduced by: Senator Mizuguchi, by request.

No. 912 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 913 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senator Mizuguchi, by request.

No. 914 "A BILL FOR AN ACT RELATING TO VOTE COUNT."

Introduced by: Senator Mizuguchi, by request.

No. 915 "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES."

Introduced by: Senator Mizuguchi.

No. 916 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 917 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Mizuguchi, by request.

No. 918 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Mizuguchi, by request.

No. 919 "A BILL FOR AN ACT RELATING TO ROBBERY."

Introduced by: Senator Mizuguchi, by request.

No. 920 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senator Mizuguchi, by request.

No. 921 "A BILL FOR AN ACT RELATING TO DISTRICT COURT."

Introduced by: Senator Mizuguchi, by request.

No. 922 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE."

Introduced by: Senator Mizuguchi, by request.

No. 923 "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES."

Introduced by: Senator Mizuguchi, by request.

No. 924 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."

Introduced by: Senator Mizuguchi, by request.

No. 925 "A BILL FOR AN ACT RELATING TO BURGLARY."

Introduced by: Senator Mizuguchi, by request.

No. 926 "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 927 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION."

Introduced by: Senator Mizuguchi, by request.

No. 928 "A BILL FOR AN ACT RELATING TO EVIDENCE."

Introduced by: Senator Mizuguchi, by request.

No. 929 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Mizuguchi, by request.

No. 930 "A BILL FOR AN ACT RELATING TO JURY VERDICTS."

Introduced by: Senator Mizuguchi, by request.

No. 931 "A BILL FOR AN ACT RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE."

Introduced by: Senator Mizuguchi, by request.

No. 932 "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS."

Introduced by: Senator Mizuguchi, by request.

No. 933 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SPECIAL PROSECUTION UNITS AND VICTIM WITNESS PROGRAMS."

Introduced by: Senator Mizuguchi, by request.

No. 934 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Senator Mizuguchi, by request.

No. 935 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senator Mizuguchi, by request.

No. 936 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 937 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senator Mizuguchi, by request.

No. 938 "A BILL FOR AN ACT RELATING TO MEDICAL DECISIONS."

Introduced by: Senator Iwase.

No. 939 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senator Matsuura.

No. 940 "A BILL FOR AN ACT RELATING TO THE INSURANCE PRIVILEGE."

Introduced by: Senator Matsuura.

No. 941 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Matsuura.

No. 942 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senator Matsuura.

No. 943 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE."

Introduced by: Senator Matsuura.

No. 944 "A BILL FOR AN ACT RELATING TO INVESTMENT ATTRACTION."

Introduced by: Senator Inouye.

No. 945 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Inouye, Levin, Matsuura.

No. 946 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senator Inouye.

No. 947 "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD."

Introduced by: Senators Kanno, Taniguchi.

No. 948 "A BILL FOR AN ACT RELATING TO HEALTH FUND MEDICARE PART B."

Introduced by: Senators Kanno, Taniguchi.

No. 949 "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION."

Introduced by: Senators Kanno, Taniguchi.

No. 950 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Taniguchi.

No. 951 "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS."

Introduced by: Senators Kanno, Taniguchi.

No. 952 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION."

Introduced by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata.

No. 953 "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES."

Introduced by: Senators Hanabusa, Kanno, Matsuura, Nakata.

No. 954 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Slom.

No. 955 "A BILL FOR AN ACT RELATING TO DISPLACED WORKERS."

Introduced by: Senator Slom.

No. 956 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE LEGISLATURE TO MEET IN REGULAR SESSION ONLY IN ODD-NUMBERED YEARS."

Introduced by: Senator Slom.

No. 957 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Taniguchi.

No. 958 "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY."

Introduced by: Senator Taniguchi, by request.

No. 959 "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS."

Introduced by: Senator Taniguchi.

No. 960 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Sakamoto, Chumbley, D. Ige, Iwase, Kawamoto, Matsuura, Tanaka.

No. 961 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Sakamoto, D. Ige, Iwase, Matsuura, Tanaka.

No. 962 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

- Introduced by: Senators Sakamoto, D. Ige, Matsuura.
- No. 963 "A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Senators Sakamoto, Chumbley, Iwase, Matsunaga, Matsuura, Tanaka.
- No. 964 "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE."
Introduced by: Senator Sakamoto.
- No. 965 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."
Introduced by: Senator Chun.
- No. 966 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senators Fukunaga, Levin, D. Ige.
- No. 967 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senators Fukunaga, Levin, D. Ige.
- No. 968 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senator Bunda.
- No. 969 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY."
Introduced by: Senator Bunda.
- No. 970 "A BILL FOR AN ACT RELATING TO BAIL BONDS."
Introduced by: Senator Bunda.
- No. 971 "A BILL FOR AN ACT RELATING TO FREEDOM FROM GOVERNMENT COMPETITION."
Introduced by: Senators Bunda, Matsuura, Sakamoto, Tanaka.
- No. 972 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
Introduced by: Senator Kawamoto.
- No. 973 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING."
Introduced by: Senator Kawamoto.
- No. 974 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE NINETEENTH DISTRICT."
Introduced by: Senator Kawamoto.
- No. 975 "A BILL FOR AN ACT RELATING TO HARBORS."
Introduced by: Senator Kawamoto.
- No. 976 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM."
Introduced by: Senator Kawamoto.
- No. 977 "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDIT."
Introduced by: Senators Nakata, D. Ige, Ihara.
- No. 978 "A BILL FOR AN ACT RELATING TO THE FOREST STEWARDSHIP PROGRAM."
Introduced by: Senator Nakata.
- No. 979 "A BILL FOR AN ACT RELATING TO NOISE."
Introduced by: Senator Nakata.
- No. 980 "A BILL FOR AN ACT RELATING TO RESTRICTIONS ON THE USE OF SOCIAL SECURITY NUMBERS."
Introduced by: Senator D. Ige.
- No. 981 "A BILL FOR AN ACT RELATING TO DEATH WITH COMPASSION."
Introduced by: Senator D. Ige, by request.
- No. 982 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senators D. Ige, Bunda, Chumbley, Matsunaga, Sakamoto, Slom, Tam.
- No. 983 "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT."
Introduced by: Senator D. Ige.
- No. 984 "A BILL FOR AN ACT RELATING TO GENERAL CASUALTY INSURANCE."
Introduced by: Senator D. Ige.
- No. 985 "A BILL FOR AN ACT RELATING TO TEACHERS IN RURAL AREAS."
Introduced by: Senator Buen, by request.
- No. 986 "A BILL FOR AN ACT RELATING TO CONSENT."
Introduced by: Senator Buen, by request.
- No. 987 "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL AND NATATORIUM."
Introduced by: Senator Tanaka.
- No. 988 "A BILL FOR AN ACT RELATING TO MEDICAL PROFESSIONAL LICENSING."
Introduced by: Senator Chumbley.
- No. 989 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."
Introduced by: Senators Chumbley, Fukunaga, Ihara, Kanno, Levin, Matsunaga.
- No. 990 "A BILL FOR AN ACT RELATING TO WATERSHED MANAGEMENT."
Introduced by: Senators Chumbley, Fukunaga, Ihara, Kanno, Levin, Matsunaga, Taniguchi.
- No. 991 "A BILL FOR AN ACT RELATING TO PRIVACY."

- Introduced by: Senators Chumbley, Matsunaga.
- No. 992 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."
- Introduced by: Senators Chumbley, Tanaka.
- No. 993 "A BILL FOR AN ACT RELATING TO THE DISABLED."
- Introduced by: Senators Chun Oakland, Kanno, Nakata.
- No. 994 "A BILL FOR AN ACT RELATING TO DEPENDENT ADULT AND ELDER ABUSE."
- Introduced by: Senators Chun Oakland, Kanno, Nakata.
- No. 995 "A BILL FOR AN ACT RELATING TO ELDERLY AND DEPENDENT ADULTS."
- Introduced by: Senators Chun Oakland, Nakata.
- No. 996 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 997 "A BILL FOR AN ACT RELATING TO INCENTIVE PROGRAMS."
- Introduced by: Senator Chun Oakland.
- No. 998 "A BILL FOR AN ACT RELATING TO PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."
- Introduced by: Senator Levin.
- No. 999 "A BILL FOR AN ACT RELATING TO MANDATORY HEALTH INSURANCE FOR CHIROPRACTIC SERVICES."
- Introduced by: Senator Levin, by request.
- No. 1000 "A BILL FOR AN ACT RELATING TO STATE BONDS."
- Introduced by: Senators Levin, Fukunaga.
- No. 1001 "A BILL FOR AN ACT RELATING TO THE DAIRY INDUSTRY."
- Introduced by: Senator M. Ige.
- No. 1002 "A BILL FOR AN ACT RELATING TO LIQUOR LICENCES."
- Introduced by: Senator Fukunaga.
- No. 1003 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."
- Introduced by: Senators Fukunaga, Chun Oakland, Buen, Inouye.
- No. 1004 "A BILL FOR AN ACT RELATING TO SCHOOL REGISTRARS."
- Introduced by: Senator Tam.
- No. 1005 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
- Introduced by: Senator Tam.
- No. 1006 "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION OF GROUP LIVING HOUSING FACILITIES."
- Introduced by: Senator Tam.
- No. 1007 "A BILL FOR AN ACT RELATING TO THE INCOME TAX CREDIT."
- Introduced by: Senators Fukunaga, Levin.
- No. 1008 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL IMPACT STATEMENTS LAW."
- Introduced by: Senators Ihara, Fukunaga.
- No. 1009 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
- Introduced by: Senators Ihara, Chumbley, Chun, Fukunaga, Levin.
- No. 1010 "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX."
- Introduced by: Senator Mizuguchi, by request.
- No. 1011 "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS."
- Introduced by: Senator Mizuguchi, by request.
- No. 1012 "A BILL FOR AN ACT RELATING TO PATHOLOGICAL INTOXICATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 1013 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."
- Introduced by: Senator Mizuguchi, by request.
- No. 1014 "A BILL FOR AN ACT RELATING TO LEGISLATIVE FISCAL AND BUDGET ANALYSIS."
- Introduced by: Senator Mizuguchi, by request.
- No. 1015 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."
- Introduced by: Senator Mizuguchi, by request.
- No. 1016 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."
- Introduced by: Senator Mizuguchi, by request.
- No. 1017 "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 OBSOLETE OR UNNECESSARY PROVISIONS."
- Introduced by: Senator Mizuguchi, by request.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Tuesday, January 26, 1999.

FIFTH DAY

Tuesday, January 26, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 9:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Carpenter, District Superintendent of the Missionary Churches of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Tam 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. 95 to 128) were read by the Clerk and were placed on file:

Gov. Msg. No. 95, dated December 29, 1998, transmitting the Department of Accounting and General Services' Report of the Committee on Public-Private Competition for Government Services, pursuant to Act 230, Section 6, SLH 1998.

Gov. Msg. No. 96, dated December 29, 1998, transmitting the "Progress Report Regarding the Implementation of the Hui 'Imi Recommendations," prepared by the Hui 'Imi Advisory Council for Hawaiian Services in response to Act 376, SLH 1997.

Gov. Msg. No. 97, dated December 29, 1998, transmitting the Hawaii Public Broadcasting Authority 1997-1998 Annual Report, prepared by the Department of Commerce and Consumer Affairs, Hawaii Public Broadcasting Authority, pursuant to Section 314-12, HRS.

Gov. Msg. No. 98, dated December 30, 1998, transmitting the "State Department of Health's Strategic Plan and Progress Report on the Development of a Statewide Emergency Aeromedical System," pursuant to Act 59, SLH 1998.

Gov. Msg. No. 99, dated December 30, 1998, transmitting the "Annual Report for Fiscal Year 1998 on the Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act," prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS.

Gov. Msg. No. 100, dated December 30, 1998, transmitting a report prepared by the Department of Education in response to Act 309, SLH 1998, on student competency in computer technology and a language other than English.

Gov. Msg. No. 101, dated December 31, 1998, transmitting a report prepared by the Board of Agriculture pursuant to Act 281, SLH 1996, on the impact of the increase in the minimum annual pesticide licensing fee.

Gov. Msg. No. 102, dated December 31, 1998, transmitting the Department of Human Services Expenditures for the PACE (Program of all Inclusive Care for the Elderly), pursuant to Act 328, Section 67, SLH 1997.

Gov. Msg. No. 103, dated January 6, 1999, transmitting the report on the Public Utilities Commission Special Fund for fiscal year 1997-1998, pursuant to Section 269-33, HRS, and Act 226, SLH 1994.

Gov. Msg. No. 104, dated January 6, 1999, transmitting the 1997-1998 Annual Report prepared by the Public Utilities Commission, pursuant to Section 93-12, HRS.

Gov. Msg. No. 105, dated January 7, 1999, transmitting the Department of the Attorney General Annual Report for fiscal year ending June 30, 1998, Supplemental Appropriations Act 287, SLH 1996, Report of the Collections Unit - Use of Four Temporary General Funded Positions.

Gov. Msg. No. 106, dated January 8, 1999, transmitting the 1999 Special Report - Re-engineering of the Disability Compensation Information System, pursuant to Act 328, SLH 1997.

Gov. Msg. No. 107, dated January 11, 1999, transmitting a report, "Summary of University of Hawaii Special, Revolving, and Trust Funds for the Fiscal Year Ended June 30, 1998," prepared by the University of Hawaii pursuant to Sections 304-7 and 304-8, HRS.

Gov. Msg. No. 108, dated January 11, 1999, transmitting a report prepared by the Department of Health pursuant to S.C.R. No. 31 (1998), requesting the development of a rural health plan for the Island of Hawaii, including the districts of Puna and Kau.

Gov. Msg. No. 109, dated January 11, 1999, 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. 110, dated January 11, 1999, transmitting a report, "Drinking Water Treatment Revolving Loan Fund Annual Report for the State Fiscal Year July 1, 1997 to June 30, 1998," prepared by the Department of Health, Environmental Management Division, Safe Drinking Water Branch, pursuant to Act 218, SLH 1997.

Gov. Msg. No. 111, dated January 11, 1999, transmitting the 1998 Hawaii Coastal Zone Management Annual Report prepared by the Department of Business, Economic Development and Tourism pursuant to Section 205A-3, HRS.

Gov. Msg. No. 112, dated January 11, 1999, transmitting the "Report of the Task Force on Foreign Capital Depositories," pursuant to Act 154, SLH 1998.

Gov. Msg. No. 113, dated January 11, 1999, transmitting the "Report of the Joint Waikiki Task Force," prepared by the City and County of Honolulu Planning Department and the Department of Business, Economic Development and Tourism, Office of Planning and Convention Center Authority, in response to S.C.R. No. 191 (1998).

Gov. Msg. No. 114, dated January 11, 1999, transmitting the errata regarding the Multi-Year Program and Financial Plan and Executive Budget for the Period 2000-2005 which was submitted on December 21, 1998.

Gov. Msg. No. 115, dated January 11, 1999, transmitting the report, "Promoting Hawaii-Grown and Hawaii-Made Agricultural Products," prepared by the Department of Agriculture, Agricultural Development Division, Market Development Branch, in response to H.C.R. No. 242 (1998).

Gov. Msg. No. 116, dated January 11, 1999, transmitting the report, "Action Plan to Promote Hawaii-Grown and Hawaii-Made Agricultural Products," prepared by the Department of Agriculture, Agricultural Development Division, Market Development Branch, in response to H.C.R. No. 46 (1998).

Gov. Msg. No. 117, dated January 13, 1999, transmitting a report prepared by the Department of Health pursuant to H.C.R. No. 155 (1998), requesting the Department of Health to conduct a needs assessment of families who provide home care to their

family member with a developmental disability and develop a plan to address those needs.

Gov. Msg. No. 118, dated January 13, 1999, transmitting the 1998 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. 119, dated January 13, 1999, transmitting the 1998 Report for the Aloha Tower Development Corporation, pursuant to Section 206J-19, HRS.

Gov. Msg. No. 120, dated January 13, 1999, transmitting a report 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 developmental disabilities 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.

Gov. Msg. No. 121, dated January 14, 1999, transmitting the Report on Land Dispositions Made of Public Lands for Calendar Year 1998, prepared by the Department of Land and Natural Resources, Land Division, pursuant to Section 171-29, HRS.

Gov. Msg. No. 122, dated January 14, 1999, transmitting the 1998 Report prepared by the Department of Agriculture pursuant to Sections 155-14 and 219-4, HRS.

Gov. Msg. No. 123, dated January 14, 1999, transmitting the Department of Human Services Report on Fiscal Year 1998.

Gov. Msg. No. 124, dated January 14, 1999, transmitting the Hawaii Labor Relations Board 1997-1998 Annual Report, pursuant to Section 89-5, HRS.

Gov. Msg. No. 125, dated January 12, 1999, transmitting the Hawaii Community Development Authority's Project-Funded Staff Services Budget Report, pursuant to Act 328, Section 155, SLH 1997.

Gov. Msg. No. 126, dated January 13, 1999, transmitting the 1998 Annual Report prepared by the Non-Government Members of the Marine and Coastal Zone Management Advisory Group (MACZMAG), pursuant to Section 205A-3.5, HRS, and Act 104, Section 3, SLH 1995.

Gov. Msg. No. 127, dated January 19, 1999, transmitting the State of Hawaii Program Memoranda, pursuant to Section 37-70, HRS.

Gov. Msg. No. 128, dated January 12, 1999, transmitting the report on the activities of the Hawaiian Home Lands Trust Individual Claims Review Panel during 1998, pursuant to Section 674-14, 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 Ombudsman dated December 16, 1998, transmitting the "Report of the Ombudsman," (Report No. 29), pursuant to Section 96-16, HRS.

Dept. Com. No. 2, from the Supreme Court of Hawaii dated December 21, 1998, transmitting the Judiciary's Multi-Year Program and Financial Plan (1999-2005), Judiciary Budget (1999-2001), and Variance Report (1997-1999), pursuant to Section 601-2, HRS; the 1998 Annual Report Statistical Supplement, pursuant to Sections 601-2 and 601-3, HRS; also transmitting the Annual Report from the Judiciary's Center for

Alternative Dispute Resolution, pursuant to Section 613-4, HRS.

Dept. Com. No. 3, from the Supreme Court of Hawaii dated December 22, 1998, transmitting the Judiciary History Center's Annual Report, pursuant to Section 6F-6, HRS.

Dept. Com. No. 4, from the Department of the Attorney General dated November 18, 1998, transmitting tables that were excluded from Crime in Hawaii, 1997.

Dept. Com. No. 5, from the Office of Hawaiian Affairs dated December 30, 1998, transmitting the OHA Multi Year Program and Operating Budget 1997-2004, the OHA Budget Justification Tables FB 1999-2001, and the OHA Budget Justification Worksheets, pursuant to Section 10-14.5, HRS; also transmitting the OHA Program Budget Appropriations, Transfers, and Expenditures for FY 1997-1998, pursuant to Section, 10-14.5, HRS and Act 240, SLH 1997.

Dept. Com. No. 6, from the State Auditor dated December 30, 1998, transmitting a report, "Management Audit of Hawaii's School-to-Work Opportunities System," (Report No. 98-21).

Dept. Com. No. 7, from the Office of the Administrative Director of the Courts dated December 30, 1998, transmitting eight reports pursuant to the following: Act 126, SLH 1998; Act 264, SLH 1998; Act 274, SLH 1997; Act 203, SLH 1996; Act 232, SLH 1994; Act 214, SLH 1993; Act 316, SLH 1993; and H.C.R. No. 107 (1998).

Dept. Com. No. 8, from the State Auditor dated January 5, 1999, transmitting a report "Audit of Student Transportation Services," (Report No. 99-1).

Dept. Com. No. 9, from the State Auditor dated December 11, 1998, transmitting a report, "Assessment of the State's Efforts Related to the Felix Consent Decree," (Report No. 98-20).

Dept. Com. No. 10, from the State Auditor dated January 14, 1999, transmitting a report, "Status Report on the Study of Proposed Mandatory Health Insurance Coverage for Post-Mastectomy Breast Reconstructive Surgery," (Report No. 99-2).

Dept. Com. No. 11, from the State Auditor dated January 15, 1999, transmitting a report, "Audit of the State Foundation on Culture and the Arts," (Report No. 99-3).

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 27 to 30) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 27 "SENATE CONCURRENT RESOLUTION CALLING FOR A TASK FORCE AND REQUESTING A STUDY TO REVIEW THE FISCAL NEEDS OF THE STATE HIGHWAY FUND AND REPORT ON DEVELOPING A REVENUE PLAN FOR THE HIGHWAYS DIVISION."

Offered by: Senator Mizuguchi, by request.

No. 28 "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM."

Offered by: Senators D. Ige, Chumbley, Sakamoto, Slom, Tam.

No. 29 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE

ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL PROSECUTION OF THE GASOLINE OVERCHARGE CASE, AND TO EXPRESS HOUSE MEMBERS' SUPPORT FOR THIS EFFORT."

Offered by: Senator Mizuguchi, by request.

No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF UNDERGROUNDING OVERHEAD UTILITY FACILITIES."

Offered by: Senator Mizuguchi, by request.

SENATE RESOLUTION

The following resolution (S.R. No. 9) was read by the Clerk and was deferred:

Senate Resolution

No. 9 "SENATE RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM."

Offered by: Senators D. Ige, Bunda, Chumbley, Sakamoto, Tam.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Monday, January 25, 1999:

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| Senate Bill | Referred to: |
| No. 886 | Jointly to the Committee on Labor and Environment and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 887 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 888 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 889 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 890 | Committee on Judiciary |
| No. 891 | Committee on Judiciary |
| No. 892 | Committee on Judiciary |
| No. 893 | Committee on Health and Human Services, then to the Committee on Judiciary |
| No. 894 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 895 | Jointly to the Committee on Labor and Environment and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 896 | Committee on Judiciary |
| No. 897 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 898 | Committee on Judiciary |
| No. 899 | Committee on Judiciary, then to the Committee on Ways and Means |

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| No. 900 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 901 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 902 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 903 | Committee on Judiciary |
| No. 904 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 905 | Committee on Ways and Means |
| No. 906 | Committee on Judiciary |
| No. 907 | Committee on Judiciary |
| No. 908 | Committee on Judiciary |
| No. 909 | Committee on Judiciary |
| No. 910 | Committee on Judiciary |
| No. 911 | Committee on Judiciary |
| No. 912 | Committee on Judiciary |
| No. 913 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary |
| No. 914 | Committee on Judiciary |
| No. 915 | Committee on Judiciary |
| No. 916 | Committee on Judiciary |
| No. 917 | Committee on Judiciary |
| No. 918 | Committee on Judiciary |
| No. 919 | Committee on Judiciary |
| No. 920 | Committee on Judiciary |
| No. 921 | Committee on Judiciary |
| No. 922 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary |
| No. 923 | Committee on Judiciary |
| No. 924 | Committee on Judiciary |
| No. 925 | Committee on Judiciary |
| No. 926 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 927 | Committee on Judiciary |
| No. 928 | Committee on Judiciary |
| No. 929 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 930 | Committee on Judiciary |
| No. 931 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 932 | Committee on Judiciary |

No. 933	Committee on Judiciary, then to the Committee on Ways and Means	No. 959	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 934	Committee on Judiciary	No. 960	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 935	Committee on Judiciary	No. 961	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 936	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 962	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 937	Committee on Health and Human Services, then to the Committee on Judiciary	No. 963	Committee on Judiciary
No. 938	Committee on Health and Human Services, then to the Committee on Judiciary	No. 964	Committee on Education and Technology, then to the Committee on Ways and Means
No. 939	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. 965	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 940	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 966	Committee on Economic Development, then to the Committee on Ways and Means
No. 941	Committee on Ways and Means	No. 967	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 942	Committee on Economic Development, then to the Committee on Ways and Means	No. 968	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 943	Committee on Education and Technology, then to the Committee on Ways and Means	No. 969	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 944	Committee on Economic Development, then to the Committee on Ways and Means	No. 970	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 945	Committee on Education and Technology, then to the Committee on Ways and Means	No. 971	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 946	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 972	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 947	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 973	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 948	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 974	Committee on Ways and Means
No. 949	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 975	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 950	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 976	Committee on Economic Development, then to the Committee on Ways and Means
No. 951	Committee on Education and Technology, then to the Committee on Ways and Means	No. 977	Committee on Ways and Means
No. 952	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 978	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 953	Jointly to the Committee on Labor and Environment and the Committee on Economic Development, then to the Committee on Ways and Means	No. 979	Committee on Labor and Environment, then to the Committee on Economic Development
No. 954	Committee on Education and Technology, then to the Committee on Ways and Means	No. 980	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 955	Committee on Labor and Environment	No. 981	Committee on Health and Human Services, then to the Committee on Judiciary
No. 956	Committee on Ways and Means, then to the Committee on Judiciary	No. 982	Committee on Education and Technology, then to the Committee on Ways and Means
No. 957	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 983	Committee on Judiciary, then to the Committee on Ways and Means
No. 958	Committee on Labor and Environment, then to the Committee on Judiciary		

No. 984	Committee on Commerce and Consumer Protection	No. 1009	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 985	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1010	Committee on Ways and Means
No. 986	Committee on Judiciary	No. 1011	Committee on Education and Technology, then to the Committee on Ways and Means
No. 987	Committee on Economic Development, then to the Committee on Ways and Means	No. 1012	Committee on Judiciary
No. 988	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection	No. 1013	Committee on Judiciary
No. 989	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1014	Committee on Ways and Means
No. 990	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1015	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 991	Committee on Judiciary	No. 1016	Committee on Judiciary, then to the Committee on Ways and Means
No. 992	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1017	Committee on Judiciary
No. 993	Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Judiciary		At 9:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.
No. 994	Committee on Health and Human Services, then to the Committee on Ways and Means		The Senate reconvened at 9:40 o'clock a.m.
No. 995	Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Judiciary		President Mizuguchi made the following observation:
No. 996	Committee on Judiciary		"The Chair sent a memo to all Senators stating that under announcements we'd like all formal announcements, committee announcements and matters that pertain to Senate business taken up first before I accept points of personal privilege. The memo was sent out asking for your consideration, your cooperation and your courtesy. Thank you."
No. 997	Committee on Government Operations and Housing, then to the Committee on Ways and Means		At 9:43 o'clock a.m., on motion by Senator Chun, 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.
No. 998	Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		JOINT SESSION
No. 999	Committee on Commerce and Consumer Protection		The Joint Session of the Senate and the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, was called to order at 10:04 o'clock a.m. by the Honorable Norman Mizuguchi, President of the Senate.
No. 1000	Committee on Ways and Means		At this time, Senate President Mizuguchi welcomed and introduced the following distinguished guests to the members of the Twentieth Legislature:
No. 1001	Committee on Economic Development, then to the Committee on Ways and Means		The Honorable Benjamin J. Cayetano, Governor of the State of Hawaii. He was presented a lei by Senator Lorraine Inoué;
No. 1002	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary		Mrs. Vicky Cayetano, First Lady of the State of Hawaii. She was presented a lei by Representative Marcus Oshiro;
No. 1003	Committee on Judiciary		The Honorable Mazie Hirono, Lieutenant Governor of the State of Hawaii, and Mr. Leighton Oshima. They were presented leis by Representative Jerry Chang and Senator Jan Yagi Buen; and
No. 1004	Committee on Education and Technology, then to the Committee on Ways and Means		Mrs. Stella Moon, wife of Chief Justice Moon. She was presented a lei by Senator Bob Nakata.
No. 1005	Committee on Government Operations and Housing, then to the Committee on Ways and Means		The President then appointed Senators Avery Chumbley, Matt Matsunaga, Colleen Hanabusa and Sam Slom, on behalf of the Senate, and Representatives Paul Oshiro, Eric Hamakawa, Marilyn Lee and Paul Whalen, on behalf of the House of Representatives, to escort the Honorable Ronald T.Y.
No. 1006	Committee on Health and Human Services, then to the Committee on Ways and Means		
No. 1007	Committee on Ways and Means		
No. 1008	Committee on Labor and Environment, then to the Committee on Ways and Means		

Moon, Chief Justice of the Hawaii Supreme Court, to the rostrum.

Senator Suzanne Chun Oakland and Representative Hermina Morita presented Chief Justice Moon with maile and ilima leis.

Senate President Mizuguchi then presented the Honorable Ronald T. Y. Moon, Chief Justice of the Hawaii Supreme Court, to the members of the Twentieth Legislature.

The Chief Justice addressed the Joint Session as follows:

"Before I begin, please allow me to introduce a special guest who is visiting the islands from the great State of Wisconsin. The Associate Justice of the Wisconsin Supreme Court, Associate Justice William Bablitch, is a good friend not only of mine, but also of several judges and justices on the Courts of Appeals. He is not only a good friend of ours, but he is also a good friend of Hawaii because recently he became a Hawaii taxpayer -- he purchased a home on the Big Island. On this particular trip, he did not intend to be here with us today, but when he arrived he was invited, and he kindly accepted our invitation. However, he had a problem. He only brought his sandals, and as a result, he purchased a new pair of shoes from one of our very fortunate local retailers. Let me introduce Associate Justice William A. Bablitch. (Justice Bablitch rose to be recognized.)

"Governor Cayetano, Lieutenant Governor Hirono, Speaker Say, President Mizuguchi, Legislators, members of the federal and state Judiciaries, other distinguished guests, family, and friends, it is my privilege to be here today to deliver my third State of the Judiciary Address.

"A couple of weeks ago, in her not too subtle way of telling me to keep my speech short, my mother told me about an ancient Korean tradition that a speaker must stand on one foot while addressing his audience. As soon as his second foot drops and touches the ground, he must stop speaking. Now, it sounds like a good tradition for short speeches, however, you may be horrified to learn that for two weeks I've been practicing and I can now stand on one foot for an hour, especially when I hold on to the lectern. (Laughter.) Nevertheless, today I will not implement this tradition and I promise to be relatively brief.

"What I want to do today is share with you how we're doing, talk about the changes we're making, reaffirm our commitment to working together, and finally, look to the future.

"How Are We Doing: First, how is Hawaii's Judiciary doing? To answer that question, we must remind ourselves that justice is about laws and procedures, but, above all, justice is about people. As you are aware, the Judiciary is involved in every aspect of people's lives, working towards helping them resolve their problems and disagreements.

"During the past year, our judges have continued to make thousands of decisions that have directly impacted peoples' liberty, property, and family relations. Of those thousands of decisions, only a handful have generated headlines in the media -- some of which were quite critical. I firmly believe, however, that we should not, and must not, measure the Judiciary's success by the amount or kind of media coverage our decisions generate. Nevertheless, I realize that, to a large extent, the media is the public's, and often your, only source of information about judicial decisions. As I have stated in the past, public scrutiny of judicial decisions is healthy, but it must not be allowed to cast a cloud over an entire judicial system that functions very well on a daily basis. And so I ask you to keep media criticism in perspective.

"In helping us answer the question 'How are we doing?' we also look to the attorneys, who appear in our courts, as well as the public, who use our courts, every day. We solicit the views of attorneys through written, confidential evaluation surveys.

And they tell us, consistently, that Hawaii's judges have keen legal ability, excellent judicial management skills, and valued personal attributes. Through our 'We Value Your Opinion' surveys, the public tells us that it is generally pleased with the service it receives. Additionally, others outside of our great State assure us that we can be proud of our Judiciary. Our Family Court, our alternative dispute resolution initiatives, and our Drug Court have been acclaimed nationally and serve as models for other judiciaries to emulate.

"I, therefore, say to you today, with confidence and pride, that the state of Hawaii's Judiciary is sound. But, there is always room for improvement. Throughout the United States, the perception is that judiciaries are too steeped in tradition and too slow to change. We must not find comfort with the status quo. Like you, and the members of the Executive Branch, we are stewards of the public trust, and, as such, we must continually search for ways to improve and better serve the public.

"Improvement Initiatives: This past year, we started, and in some cases completed, initiatives intended to address changing conditions and to better serve the public. Allow me to review just a few of those initiatives with you.

"Access to the Courts: As the grandson of Korean immigrants, I know first hand what it is like to be confronted by the realization that this country's most valued rights are not always available to everyone. After graduating from high school in 1958, I left for college in Iowa. Living in Iowa during that first year was a culturally shocking experience for me. At that time, the Korean War had been over for only a few years, and the war with Japan was still fresh in the minds of many of the students, teachers, and town folk. For the first time, I experienced the sting of discrimination -- not being allowed to join a fraternity because of its 'White' clause, not being served at a restaurant, and not being allowed access to a restroom at a service station. I therefore understand the feelings of frustration and despair when members of the public perceive our courts as being inaccessible. Indeed, access to our courts is about as fundamental a right as I can imagine. That is why Hawaii's Judiciary devotes so much energy to making it easier for people to access and understand our court system as well as work their way through it.

"In our district courts, for example, a significant number of individuals pursue claims without the benefit of counsel and rely on the many preprinted court forms that are available to assist them in processing their claims. These fill-in-the-blank or -box type forms can be quite labor-intensive and time-consuming to complete. Thus, in keeping with our goal of enhancing access to the courts, we converted our district court forms to electronic format. Forms are now available on computers at the public library, may be downloaded from the Internet, or purchased on diskettes at a nominal cost. Self-represented litigants as well as attorneys and their clients have benefited from this time- and money-saving modern technology. Of course, preprinted court forms are still available for those of us who are uncomfortable around computers.

"If you tuned in to the public access stations during the past few months, you may have seen our new district court videos on traffic and small claims proceedings. These videos give step-by-step explanations of various options and procedures in plain, everyday language. The videos have also been dubbed in Ilocano and Korean, and the English-language version is captioned for the deaf and hearing impaired. All three versions of the videos are available in public libraries throughout the State.

"Because our immigrant community and its legal needs continue to grow, we have also established a Multilingual Lawline. Our non-English speaking citizens can now hear recorded messages about juvenile proceedings, domestic violence, divorce, and other law-related topics in seven different languages. By avoiding legalese and providing

information in user-friendly formats, court users can now better evaluate and make knowledgeable decisions regarding their circumstances.

"Equally important, however, is a court user's ability to effectively maneuver through court proceedings. Over the last year, we gave much thought as to how we could better assist court users in finding where they need to go and what they need to do once they get there. As a result, the Ho'okele Court Navigation Project was born. Ho'okele will consist of a Court Concierge Program at the entrance to the courthouse and Customer Service Centers in those courts where many litigants are not represented by attorneys.

"Juror Innovations: Just as we must make it easier for the public to understand and use the court system, so too must we fully utilize the talents of those who generously give of their time to serve as jurors. Each year, more than 63,000 Hawaii citizens are called for jury service. This past fiscal year, more than 7,500 individuals actually served as jurors. As you are probably aware, many of our citizens who are called for jury service would rather be somewhere else. The strength of our jury trial system, however, depends in large part on the willingness of our citizens to participate in it. The jury trial, as envisioned by our forefathers, provides an opportunity for our citizens to directly participate in the decision-making process by assisting our judges in resolving disputes. We are therefore committed to finding ways to make jury service both meaningful and relevant.

"In furtherance of those goals, we implemented a Jury Innovations Pilot Project to study the effects of various changes to the traditional jury trial procedure. Jurors who serve in the courts participating in the pilot project are, among other things: (1) advised at the beginning of the trial, rather than at the end, about what each party must prove in order to win; (2) allowed to take notes; (3) instructed about the law applicable to the case before, rather than after, the attorneys' closing arguments; and (4) allowed to submit questions that might be asked of witnesses. Jurors who have participated in the pilot project have told us these changes helped them to better concentrate on the information presented and helped keep their attention throughout the trial. We firmly believe that, by making the jury service process more meaningful and relevant to those called upon to serve, we can increase juror satisfaction and, in turn, elevate public trust and confidence in the justice system.

"Technology: No discussion about change would be complete without addressing technology. Plainly and simply, the Judiciary's obsolete technology slows us down. For example, we have difficulty keeping track of the massive amounts of paperwork and information that are processed in our courts because the eleven or so computer systems that the Judiciary relies on are antiquated, limited in their applications, don't 'talk' to each other, and are in need of major overhaul or replacement. All of these factors significantly impact our ability to manage our cases effectively and efficiently, track and collect fines and penalties owed to the State, as well as restitution owed to victims of crime, and so forth. We are also racing against time to ensure that our computer applications are Year-2000 compliant.

"But all is not lost. In visionary legislation, you established the Judiciary Computer System Special Fund in 1996 to enable the Judiciary to address its critical technological changes and needs. We are diligently working on a plan to implement a statewide automated integrated case management system, that, when fully implemented, will allow courts at all levels to manage information associated with individual cases, streamline work flow, organize data, ensure compliance with court orders, eliminate redundant data entry, generate reports, and handle repetitive tasks that presently require considerable manual effort. The Judiciary is also planning the design and installation of the necessary infrastructure to connect employees statewide on a common communications network.

"Court Improvement Process Initiative: We recognize, however, that technology is only part of the solution to helping us manage our cases and information more effectively and efficiently. Thus, in July, the Judiciary began a systematic, in-depth process to critically re-examine its structure, procedures, and scope of functions with an eye toward increasing efficiency, reducing duplication, producing cost savings, and generating revenue. We firmly believe that this self-examination process will enable us to address future needs more effectively.

"We acknowledged, from the outset of the Court Improvement Process Initiative, that the Judiciary does some things solely because we've always done them and that there are some things that we should be doing, but we aren't, simply because we never have. This initiative is providing a forum in which to determine whether the Judiciary has moved beyond its mission, whether its processes can be streamlined, and whether its services can be performed at less cost. The answers to these questions will necessarily involve change, and, whenever one talks about change, feelings of uncertainty and anxiety inevitably arise. Although we are aware that our Court Improvement Process Initiative has created, and will undoubtedly continue to create, some uncertainty and anxiety, we cannot, and must not, allow the fear of change to stand in the way of finding better avenues to service the people of Hawaii. We ask for everyone's patience, understanding, and support as we consider various options.

"The initiatives I've mentioned -- improving access to the courts, jury reform, technology projects, and our Court Improvement Process -- all have one common purpose, and, that is, to position the Judiciary to enter the 21st Century better prepared to meet the needs of the people of Hawaii.

"The Agents of Change: The Judiciary, however, cannot succeed in isolation. The external agents of change are too great. A struggling economy, changes in divorce and employment rates, variations in demographics and lifestyle patterns, and overcrowded prisons place significant demands on our state court system and transform the types of conflicts that arise. The number of cases of domestic violence, crimes against property, and child abuse signal personal and social stresses on and among Hawaii's people. And, business failings register the existence of the economic pressures on Hawaii's business and financial communities.

"We cannot, however, fight change. John F. Kennedy understood this when he said, 'The one unchangeable certainty is that nothing is certain or unchangeable.' Our challenge is to continue our collaborative efforts to find appropriate and workable solutions around these external agents of change. In both your standing and conference committee reports last session, you expressed gratitude for the cooperative working relationship between the Judiciary and the Legislature during the session. We appreciate your sentiments and pledge to continue that cooperative relationship this session.

"We look forward to continuing the partnerships we have formed with the Executive Branch. For example, we are working very closely with the Attorney General's Office to facilitate the collection of fines and restitution; our Drug Court could not succeed without the full cooperation of the Department of Public Safety and the Department of Health; our Family Courts have worked hand in hand with the Department of Human Services to improve adoption procedures; and sheriffs from the Department of Public Safety provide much needed security for judges, staff, and the public.

"We also look forward to continuing our collaborative efforts with the community at large. For example, earlier, I spoke about our most far-reaching effort to date -- the Court Improvement Process Initiative. The draft recommendations generated by this initiative were based, in part, on the more than 750 surveys we received from interested individuals outside the Judiciary. I also spoke about our Jury Innovations Project. The

Jury Innovations Committee, which formulated the project, includes former jurors. The Committee's recommendations also reflect community input obtained through three public meetings, a live, call-in program on 'Olelo, and written comments from the public. And, finally, the Judicial Council, which acts as an advisory board to the Chief Justice on matters concerning the administration of justice, has representation from the labor, business, medical, and legal communities, as well as from this Legislature and the media. Recently, the Judicial Council assisted in identifying public trust and confidence issues facing the Judiciary and developed strategies to address those issues. These issues and strategies were forwarded to a national committee organized by the American Bar Association, in cooperation with the Conference of Chief Justices and Conference of State Court Administrators. The national committee will use the input received from all fifty states to create the agenda for a National Conference on Building Public Trust and Confidence in the Justice System to be held this coming May in Washington, D.C. As you can see, the community has responded enthusiastically to our call for input, and we are grateful for its assistance so we can do our jobs better.

"The Future: When I look to the future, I see a modern, efficient, fair, and accessible Judiciary. But, the Judiciary needs your help in making that vision a reality. Although a State of the Judiciary Address should not be confused with testimony at a budget hearing before the money committees, I would be remiss if I did not mention certain vital areas needing your assistance. First, because Hawaii's Drug Court is an innovative, multi-disciplinary means of addressing an urgent community concern, we will be asking you this session to solidify the Drug Court's future by converting the temporary staff to permanent status.

"Second, despite the progress I noted in the area of technology, much work remains if a modern integrated case management system is to become a reality. The Computer System Special Fund is scheduled to terminate on June 30, 2000. Because court automation is a long-term and continuing endeavor, and because its implementation is crucial to the Judiciary's goal of improving justice, access, and service to the public as well as increasing the efficiency, effectiveness, and productivity of the courts, the Judiciary will be seeking repeal of the sunset date on the fund.

"Third, the Ho'okele Court Navigation Project that I mentioned earlier cannot become a reality without your support. This customer-service oriented project requires staff in the entryways of the Oahu District and Circuit Courts to answer questions about court activities and to direct individuals to the appropriate sources of information. We will ask that you consider providing additional staff to implement the project.

"Fourth, I know you agree that no area creates more concern than domestic violence and child abuse in our State. We are therefore requesting funds for two additional Family Court judgeships to help stay abreast of these cases.

"And, finally, in order to attract and keep competent judges, we seek your support of the Judicial Salary Commission's recommendations to increase judicial compensation.

"Ladies and gentlemen -- our citizens look to our courts to protect their lives, liberties, property, communities, and democratic values. They expect the courts to administer the same justice whether the parties are rich or poor, well-known or obscure, powerful or powerless, victims or offenders. In that sense, we are not talking about the future at all. These are our responsibilities for today, as well as for tomorrow, and I pledge to continue to work with you to 'do justice.'

"I also pledge to stay in touch as we each work toward the 'big picture' of an integrated, pluralistic, and dynamic conflict resolution system. And, I pledge to communicate the progress

that the Judiciary makes toward its goal of ensuring justice for all of our citizens.

"I Thank you again for the privilege, ladies and gentlemen, of speaking to you today. Thank you for your attention."

Speaker Say then rose and stated:

"Chief Justice Moon, thank you. Your words on the state of the Hawaii Judiciary offers comfort and hope for all of us. We are fully cognizant and appreciative of the role of the Judicial Branch as an equal partner, along with the Legislative and the Executive Branches, in the application of democracy and the protection of our constitutional rights.

"On behalf of Senate President Mizuguchi and the members of the Senate and on behalf of the members of the House of Representatives, I assure you that the Legislature stands ready to address the issues which you so eloquently raised. We look forward to working with the members of the Judiciary in resolving these issues.

"At this time, I declare this Joint Session of the Legislature to be adjourned."

At 10:40 o'clock a.m., the Speaker declared the Joint Session adjourned.

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 10:00 o'clock p.m. In consequence thereof, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1018 "A BILL FOR AN ACT RELATING TO THE DRUG FORMULARY."

Introduced by: Senator Mizuguchi, by request.

No. 1019 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 1020 "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1021 "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL."

Introduced by: Senator Mizuguchi, by request.

No. 1022 "A BILL FOR AN ACT RELATING TO HEALTH-CARE DECISIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1023 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Mizuguchi, by request.

No. 1024 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1025 "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION."

Introduced by: Senator Mizuguchi, by request.

No. 1026 "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL."

Introduced by: Senator Mizuguchi, by request.

No. 1027 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 1028 "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES."

Introduced by: Senator Mizuguchi, by request.

No. 1029 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION EXEMPT POSITIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1030 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1031 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1032 "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1033 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION."

Introduced by: Senator Mizuguchi, by request.

No. 1034 "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1035 "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS."

Introduced by: Senator Mizuguchi, by request.

No. 1036 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1037 "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTED DEATH WITH DIGNITY."

Introduced by: Senator Mizuguchi, by request.

No. 1038 "A BILL FOR AN ACT RELATING TO THE MEDICAL USE OF MARIJUANA."

Introduced by: Senator Mizuguchi, by request.

No. 1039 "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS."

Introduced by: Senator Mizuguchi, by request.

No. 1040 "A BILL FOR AN ACT RELATING TO LAYOFF OF PUBLIC EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1041 "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1042 "A BILL FOR AN ACT RELATING TO THE RECRUITMENT OF EMPLOYEES FOR STATE SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1043 "A BILL FOR AN ACT RELATING TO THE COMPENSATION PLAN FOR MANAGERIAL POSITIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1044 "A BILL FOR AN ACT RELATING TO HEARINGS OF THE PUBLIC EMPLOYEES COMPENSATION APPEALS BOARD"

Introduced by: Senator Mizuguchi, by request.

No. 1045 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF ELECTED AND APPOINTED OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1046 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1047 "A BILL FOR AN ACT RELATING TO REINVENTING GOVERNMENT WITH VOLUNTARY SEPARATION INCENTIVES."

Introduced by: Senator Mizuguchi, by request.

No. 1048 "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES."

Introduced by: Senator Mizuguchi, by request.

No. 1049 "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1050 "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT."

Introduced by: Senator Mizuguchi, by request.

No. 1051 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS."

Introduced by: Senator Mizuguchi, by request.

No. 1052 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 1053 "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1054 "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997."

Introduced by: Senator Mizuguchi, by request.

No. 1055 "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS."

Introduced by: Senator Mizuguchi, by request.

No. 1056 "A BILL FOR AN ACT RELATING TO THE STATE BLIND VENDOR FACILITY PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1057 "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION."

Introduced by: Senator Mizuguchi, by request.

No. 1058 "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1059 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 1060 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Mizuguchi, by request.

No. 1061 "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1062 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARK LEASES."

Introduced by: Senator Mizuguchi, by request.

No. 1063 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 1064 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1065 "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1066 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 1067 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Mizuguchi, by request.

No. 1068 "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION."

Introduced by: Senator Mizuguchi, by request.

No. 1069 "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1070 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1071 "A BILL FOR AN ACT RELATING TO SECURITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1072 "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1073 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Mizuguchi, by request.

No. 1074 "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1075 "A BILL FOR AN ACT RELATING TO THE RESEARCH AND DEVELOPMENT INCOME TAX CREDIT FOR QUALIFIED EXPENDITURES."

Introduced by: Senator Mizuguchi, by request.

No. 1076 "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES."

Introduced by: Senator Mizuguchi, by request.

No. 1077 "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS FOR AVIATION TRAINING FACILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1078 "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1079 "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING."

Introduced by: Senator Mizuguchi, by request.

No. 1080 "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1081 "A BILL FOR AN ACT RELATING TO HAWAII SMALL BUSINESS REGULATORY FLEXIBILITY ACT."

Introduced by: Senator Mizuguchi, by request.

No. 1082 "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES."

Introduced by: Senator Mizuguchi, by request.

No. 1083 "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1084 "A BILL FOR AN ACT RELATING TO DISPOSITION OF LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1085 "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1086 "A BILL FOR AN ACT RELATING TO BOATING PENALTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1087 "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS."

Introduced by: Senator Mizuguchi, by request.

No. 1088 "A BILL FOR AN ACT RELATING TO ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1089 "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES."

Introduced by: Senator Mizuguchi, by request.

No. 1090 "A BILL FOR AN ACT RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE."

Introduced by: Senator Mizuguchi, by request.

No. 1091 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Mizuguchi, by request.

No. 1092 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Mizuguchi, by request.

No. 1093 "A BILL FOR AN ACT RELATING TO BEACH LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1094 "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1095 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senator Mizuguchi, by request.

No. 1096 "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1097 "A BILL FOR AN ACT RELATING TO TIMBER MANAGEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1098 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1099 "A BILL FOR AN ACT RELATING TO THE COASTAL AREAS PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1100 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1101 "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES."

Introduced by: Senator Mizuguchi, by request.

No. 1102 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1103 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS."

Introduced by: Senator Mizuguchi, by request.

No. 1104 "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. 1105 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW."

Introduced by: Senator Mizuguchi, by request.

No. 1106 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Senator Mizuguchi, by request.

No. 1107 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION."

Introduced by: Senator Mizuguchi, by request.

No. 1108 "A BILL FOR AN ACT RELATING TO STATE JUDGMENT LIENS."

Introduced by: Senator Mizuguchi, by request.

No. 1109 "A BILL FOR AN ACT RELATING TO NOTICE OF BREACH OR DEFAULT."

Introduced by: Senator Mizuguchi, by request.

No. 1110 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."

Introduced by: Senator Mizuguchi, by request.

No. 1111 "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS."

Introduced by: Senator Mizuguchi, by request.

No. 1112 "A BILL FOR AN ACT RELATING TO MONEY LAUNDERING."

Introduced by: Senator Mizuguchi, by request.

No. 1113 "A BILL FOR AN ACT RELATING TO SIMULATING LEGAL PROCESS."

Introduced by: Senator Mizuguchi, by request.

No. 1114 "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME."

Introduced by: Senator Mizuguchi, by request.

No. 1115 "A BILL FOR AN ACT RELATING TO GARNISHMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1116 "A BILL FOR AN ACT RELATING TO JUDGMENT LIENS IN FAVOR OF THE STATE."

Introduced by: Senator Mizuguchi, by request.

No. 1117 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1118 "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR."

Introduced by: Senator Mizuguchi, by request.

No. 1119 "A BILL FOR AN ACT RELATING TO HOMICIDE."

Introduced by: Senator Mizuguchi, by request.

No. 1120 "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS."

Introduced by: Senator Mizuguchi, by request.

No. 1121 "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL."

Introduced by: Senator Mizuguchi, by request.

No. 1122 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Mizuguchi, by request.

No. 1123 "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 1124 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1125 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1126 "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS."

Introduced by: Senator Mizuguchi, by request.

No. 1127 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1128 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1129 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1130 "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1131 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1132 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1133 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1134 "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES."

Introduced by: Senator Mizuguchi, by request.

No. 1135 "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD."

Introduced by: Senator Mizuguchi, by request.

No. 1136 "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY."

Introduced by: Senator Mizuguchi, by request.

No. 1137 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1138 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 1139 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 1140 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senator Mizuguchi, by request.

No. 1141 "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1142 "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 1143 "A BILL FOR AN ACT RELATING TO CORPORATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1144 "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1145 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Introduced by: Senator Mizuguchi, by request.

No. 1146 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 1147 "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL."

Introduced by: Senator Mizuguchi, by request.

No. 1148 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS."

Introduced by: Senator Mizuguchi, by request.

No. 1149 "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS."

Introduced by: Senator Mizuguchi, by request.

No. 1150 "A BILL FOR AN ACT RELATING TO SAFETY."

Introduced by: Senator Mizuguchi, by request.

No. 1151 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senator Mizuguchi, by request.

No. 1152 "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1153 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1154 "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1155 "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1156 "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS."

Introduced by: Senator Mizuguchi, by request.

No. 1157 "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN."

Introduced by: Senator Mizuguchi, by request.

No. 1158 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS."

Introduced by: Senator Mizuguchi, by request.

No. 1159 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION."

Introduced by: Senator Mizuguchi, by request.

No. 1160 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senator Mizuguchi, by request.

No. 1161 "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL HEALTH CARE ADMINISTRATOR."

Introduced by: Senator Mizuguchi, by request.

No. 1162 "A BILL FOR AN ACT RELATING TO SECURITY AT VARIOUS STATE HOSPITALS."

Introduced by: Senator Mizuguchi, by request.

No. 1163 "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES."

Introduced by: Senator Mizuguchi, by request.

No. 1164 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1165 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Mizuguchi, by request.

No. 1166 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOLULU HARBOR, OAHU."

Introduced by: Senator Mizuguchi, by request.

No. 1167 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 1168 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1169 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1170 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1171 "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1172 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1173 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1174 "A BILL FOR AN ACT RELATING TO TAX RELIEF FOR LONG-TERM HEALTH CARE EXPENSES."

Introduced by: Senator Mizuguchi, by request.

No. 1175 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES."

Introduced by: Senator Mizuguchi, by request.

No. 1176 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LICENSING OF SINGLE-MEMBER LIMITED LIABILITY COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 1177 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1178 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1179 "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1180 "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF NONRESIDENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1181 "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1182 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII OPTIONAL RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1183 "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1184 "A BILL FOR AN ACT RELATING TO MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1185 "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM."

Introduced by: Senator Mizuguchi, by request.

No. 1186 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."

Introduced by: Senator Iwase.

No. 1187 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 1188 "A BILL FOR AN ACT RELATING TO THE KAHOO LAWE ISLAND RESERVE."

Introduced by: Senator Buen, by request.

No. 1189 "A BILL FOR AN ACT RELATING TO BINGO GAMES."

Introduced by: Senator Tanaka, by request.

No. 1190 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Tanaka.

No. 1191 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Tanaka.

No. 1192 "A BILL FOR AN ACT RELATING TO PARIMUTUEL WAGERING AND HORSE RACING."

Introduced by: Senator Tanaka.

No. 1193 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC SERVICE ANNOUNCEMENTS."

Introduced by: Senator Nakata.

No. 1194 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Senators Nakata, Chun Oakland, D. Ige.

No. 1195 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Senators Nakata, Chun Oakland, D. Ige.

No. 1196 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT KING INTERMEDIATE SCHOOL."

Introduced by: Senators Nakata, Chun Oakland, D. Ige.

No. 1197 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANA COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata.

No. 1198 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE PROPERTY TO ESTABLISH A COMMUNITY CENTER FOR THE RESIDENTS OF THE WAI'ANAЕ COAST."

Introduced by: Senators Hanabusa, Matsuura, Kanno, Nakata.

No. 1199 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Chun.

No. 1200 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Slom.

No. 1201 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Sakamoto, Chumbley, Chun, Chun Oakland, Tanaka.

No. 1202 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Sakamoto, Chumbley, Chun, Chun Oakland, Tanaka.

No. 1203 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 1204 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."

Introduced by: Senator Sakamoto.

No. 1205 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Sakamoto.

No. 1206 "A BILL FOR AN ACT RELATING TO AGGRESSIVE DRIVING."

Introduced by: Senator M. Ige.

No. 1207 "A BILL FOR AN ACT RELATING TO THE INDEPENDENT VERIFICATION BY THE AUDITOR OF STATE AGENCIES' AND DEPARTMENTS' PREPAREDNESS IN BRINGING STATEWIDE COMPUTER SYSTEMS INTO YEAR 2000 COMPLIANCE."

Introduced by: Senator M. Ige.

No. 1208 "A BILL FOR AN ACT RELATING TO A TEMPORARY YEAR 2000 EMERGENCY PREPAREDNESS TASK FORCE AND MAKING AN APPROPRIATION FOR A YEAR 2000 TEMPORARY EMERGENCY PREPAREDNESS FUND."

Introduced by: Senator M. Ige.

No. 1209 "A BILL FOR AN ACT RELATING TO PRICE CONTROLS ON FOOD PRODUCTS, WATER, AND GASOLINE FOR EMERGENCY DUE TO YEAR 2000 COMPLIANCE PROBLEMS."

Introduced by: Senator M. Ige.

No. 1210 "A BILL FOR AN ACT RELATING TO KANEOHE BAY."

Introduced by: Senator M. Ige.

No. 1211 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Buen, Matsuura.

No. 1212 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS."

Introduced by: Senators Kawamoto, Bunda.

No. 1213 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senators Kawamoto, Chun Oakland.

No. 1214 "A BILL FOR AN ACT RELATING TO THE HAWAII MARITIME AUTHORITY."

Introduced by: Senators Kawamoto, Bunda.

No. 1215 "A BILL FOR AN ACT RELATING TO MARITIME."

Introduced by: Senators Kawamoto, Bunda.

No. 1216 "A BILL FOR AN ACT RELATING TO BICYCLING."

Introduced by: Senators Kawamoto, Bunda.

No. 1217 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators D. Ige, Sakamoto, Fukunaga, Tam, Chumbley, Slom, Bunda.

No. 1218 "A BILL FOR AN ACT RELATING TO PROCUREMENT FOR SCHOOLS."

Introduced by: Senators D. Ige, Sakamoto, Tam, Chumbley, Slom, Bunda.

No. 1219 "A BILL FOR AN ACT RELATING TO A CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION."

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

No. 1220 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.

No. 1221 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Inouye.

No. 1222 "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY."

Introduced by: Senator Inouye.

No. 1223 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Inouye.

No. 1224 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR INITIATIVE, REFERENDUM, AND RECALL."

- Introduced by: Senators Anderson, Slom.
- No. 1225 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senators Anderson, Slom.
- No. 1226 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Senators Anderson, Slom.
- No. 1227 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO THE LEGISLATURE."
Introduced by: Senator Anderson.
- No. 1228 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
Introduced by: Senator Anderson.
- No. 1229 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senators Chun Oakland, Kanno.
- No. 1230 "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION."
Introduced by: Senators Chun Oakland, Kanno, Levin.
- No. 1231 "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE."
Introduced by: Senator Chun Oakland.
- No. 1232 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM."
Introduced by: Senators Hanabusa, Tam.
- No. 1233 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN EDUCATION."
Introduced by: Senator Hanabusa.
- No. 1234 "A BILL FOR AN ACT RELATING TO INSURERS."
Introduced by: Senator Hanabusa.
- No. 1235 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
Introduced by: Senators Kanno, Taniguchi.
- No. 1236 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS."
Introduced by: Senator Kanno, by request.
- No. 1237 "A BILL FOR AN ACT RELATING TO FEES."
Introduced by: Senator Kanno.
- No. 1238 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS."
Introduced by: Senator Kanno.
- No. 1239 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."
Introduced by: Senator Kanno.
- No. 1240 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KAIMUKI HIGH SCHOOL."
Introduced by: Senator Ihara.
- No. 1241 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
Introduced by: Senator Ihara.
- No. 1242 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."
Introduced by: Senators Fukunaga, Levin.
- No. 1243 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."
Introduced by: Senator Tam.
- No. 1244 "A BILL FOR AN ACT RELATING TO FEDERAL AID."
Introduced by: Senator Tam.
- No. 1245 "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION."
Introduced by: Senator Tam.
- No. 1246 "A BILL FOR AN ACT RELATING TO SCHOOL CLERICAL STAFFING."
Introduced by: Senator Tam.
- No. 1247 "A BILL FOR AN ACT RELATING TO THE AUTONOMY OF PERSONNEL ADMINISTRATION SYSTEMS."
Introduced by: Senator Matsuura.
- No. 1248 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Senator Matsuura.
- No. 1249 "A BILL FOR AN ACT RELATING TO COUNTY LIABILITY."
Introduced by: Senator Matsuura.
- No. 1250 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."
Introduced by: Senator D. Ige.
- No. 1251 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senators D. Ige, Fukunaga.
- No. 1252 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE ADJUDICATION."
Introduced by: Senator Levin.
- No. 1253 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

- Introduced by: Senator Levin.
- No. 1254 "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS."
Introduced by: Senators Levin, Chumbley.
- No. 1255 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO BUILD A HAWAII ISLAND VETERANS MEMORIAL CENTER."
Introduced by: Senators Levin, Matsuura.
- No. 1256 "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM."
Introduced by: Senator Buen.
- No. 1257 "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY."
Introduced by: Senators Chun Oakland, Fukunaga.
- No. 1258 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED WATER QUALITY IMPROVEMENT PROJECT."
Introduced by: Senators Ihara, Fukunaga, Taniguchi.
- No. 1259 "A BILL FOR AN ACT RELATING TO HIRING RETIRED POLICE OFFICERS IN THE DEPARTMENT OF EDUCATION."
Introduced by: Senator Taniguchi.
- No. 1260 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
Introduced by: Senator Taniguchi.
- No. 1261 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."
Introduced by: Senator Taniguchi.
- No. 1262 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."
Introduced by: Senator Taniguchi.
- No. 1263 "A BILL FOR AN ACT RELATING TO OPTOMETRISTS."
Introduced by: Senator Taniguchi, by request.
- No. 1264 "A BILL FOR AN ACT RELATING TO ELECTION RECOUNTS."
Introduced by: Senator Mizuguchi.
- No. 1265 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Senator Mizuguchi.
- No. 1266 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."
Introduced by: Senator Mizuguchi, by request.
- No. 1267 "A BILL FOR AN ACT RELATING TO ANTITRUST."
Introduced by: Senator Mizuguchi, by request.
- No. 1268 "A BILL FOR AN ACT RELATING TO THE UNIFORM SUPERVISION OF TRUSTEES FOR CHARITABLE PURPOSES ACT."
Introduced by: Senator Mizuguchi, by request.
- No. 1269 "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION."
Introduced by: Senator Mizuguchi, by request.
- No. 1270 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Mizuguchi, by request.
- No. 1271 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Mizuguchi, by request.
- No. 1272 "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE."
Introduced by: Senator Mizuguchi, by request.
- No. 1273 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS FOR TEACHER TRAINEES."
Introduced by: Senator Mizuguchi, by request.
- No. 1274 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
Introduced by: Senator Mizuguchi, by request.
- No. 1275 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS."
Introduced by: Senator Mizuguchi, by request.
- No. 1276 "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION."
Introduced by: Senator Mizuguchi, by request.
- No. 1277 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."
Introduced by: Senator Mizuguchi, by request.
- No. 1278 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Mizuguchi, by request.
- No. 1279 "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND."
Introduced by: Senator Mizuguchi, by request.
- No. 1280 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."
Introduced by: Senator Mizuguchi, by request.
- No. 1281 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senator Mizuguchi, by request.
- No. 1282 "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM."

- Introduced by: Senator Mizuguchi, by request.
- No. 1283 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM."
- Introduced by: Senator Mizuguchi, by request.
- No. 1284 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Mizuguchi, by request.
- No. 1285 "A BILL FOR AN ACT PROPOSING AMENDMENT OF ARTICLE VII OF THE HAWAII CONSTITUTION TO ESTABLISH AN EMERGENCY AND BUDGET RESERVE FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1286 "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET RESERVE FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1287 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1288 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1289 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1290 "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES."
- Introduced by: Senator Mizuguchi, by request.
- No. 1291 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Mizuguchi, by request.
- No. 1292 "A BILL FOR AN ACT RELATING TO THE TAXATION OF USED MOTOR VEHICLES."
- Introduced by: Senator Mizuguchi, by request.
- No. 1293 "A BILL FOR AN ACT RELATING TO MAXIMUM RETIREMENT ALLOWANCE."
- Introduced by: Senator Mizuguchi, by request.
- No. 1294 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1295 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 1296 "A BILL FOR AN ACT RELATING TO COMPOSITION OF THE BOARD OF THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Mizuguchi, by request.
- No. 1297 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COURT APPOINTED COUNSEL."
- Introduced by: Senator Mizuguchi, by request.
- No. 1298 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 1299 "A BILL FOR AN ACT RELATING TO PROGRAM EXECUTION."
- Introduced by: Senator Mizuguchi, by request.
- No. 1300 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 1301 "A BILL FOR AN ACT RELATING TO VEHICLE TAXES."
- Introduced by: Senator Mizuguchi, by request.
- No. 1302 "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX."
- Introduced by: Senator Mizuguchi, by request.
- No. 1303 "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Mizuguchi, by request.
- No. 1304 "A BILL FOR AN ACT RELATING TO THE REPEAL OF BUSINESS REGULATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 1305 "A BILL FOR AN ACT RELATING TO REPEAL OF PROFESSIONAL AND VOCATIONAL LICENSING BOARDS."
- Introduced by: Senator Mizuguchi, by request.
- No. 1306 "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW."
- Introduced by: Senator Mizuguchi, by request.
- No. 1307 "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE"
- Introduced by: Senator Mizuguchi, by request.
- No. 1308 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN INCUMBENT WORKER JOB TRAINING PROGRAM FOR GROWTH INDUSTRIES"
- Introduced by: Senator Mizuguchi, by request.
- No. 1309 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
- Introduced by: Senator Mizuguchi, by request.

No. 1310 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO REPEAL CERTAIN PROVISIONS RELATING TO JUDICIAL COMPENSATION TO PERMIT JUDICIAL COMPENSATION TO BE ADMINISTERED IN CONFORMITY WITH OTHER EXEMPT SALARIED OFFICERS OF THE STATE."

Introduced by: Senator Mizuguchi, by request.

No. 1311 "A BILL FOR AN ACT RELATING TO MISCONDUCT BY PUBLIC OFFICERS OR EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1312 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."

Introduced by: Senator Mizuguchi, by request.

No. 1313 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE GOVERNMENT BASED ON YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1314 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Mizuguchi, by request.

No. 1315 "A BILL FOR AN ACT RELATING TO RECIPROCAL BENEFICIARIES."

Introduced by: Senator Mizuguchi, by request.

No. 1316 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senator Mizuguchi, by request.

No. 1317 "A BILL FOR AN ACT RELATING TO ACT 329, SESSION LAWS OF HAWAII 1997."

Introduced by: Senator Mizuguchi, by request.

No. 1318 "A BILL FOR AN ACT RELATING TO NEW CENTURY SCHOOLS."

Introduced by: Senator Mizuguchi, by request.

No. 1319 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE GOVERNMENT BASED ON YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1320 "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1321 "A BILL FOR AN ACT RELATING TO OCEAN LEASING."

Introduced by: Senator Mizuguchi, by request.

No. 1322 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Mizuguchi, by request.

No. 1323 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Senator Mizuguchi, by request.

No. 1324 "A BILL FOR AN ACT RELATING TO THE KAKAAKO HIGH TECHNOLOGY ZONE."

Introduced by: Senator Mizuguchi, by request.

No. 1325 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1326 "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1327 "A BILL FOR AN ACT RELATING TO NATURAL DISASTER RELIEF."

Introduced by: Senator Mizuguchi, by request.

No. 1328 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF GOVERNMENT BY PRINCIPLE IN SPECIFIED PROGRAMS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1329 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1330 "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY."

Introduced by: Senator Mizuguchi, by request.

No. 1331 "A BILL FOR AN ACT RELATING TO FIREWORKS"

Introduced by: Senator Mizuguchi, by request.

No. 1332 "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1333 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY"

Introduced by: Senator Mizuguchi, by request.

No. 1334 "A BILL FOR AN ACT RELATING TO LEGISLATIVE MATERIALS."

Introduced by: Senator Mizuguchi, by request.

No. 1335 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1336 "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE INCOME TAX DEDUCTION."

Introduced by: Senator Mizuguchi, by request.

No. 1337 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE LAYOFFS."

Introduced by: Senator Mizuguchi, by request.

No. 1338 "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1339 "A BILL FOR AN ACT RELATING TO THE COMPENSATION PLAN FOR MANAGERIAL POSITIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1340 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1341 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi, by request.

No. 1342 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi, by request.

No. 1343 "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1344 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi, by request.

No. 1345 "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 1346 "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 1347 "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 1348 "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS AND COTTAGE INDUSTRIES IN AGRICULTURE DISTRICTS."

Introduced by: Senator Mizuguchi, by request.

No. 1349 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Mizuguchi, by request.

No. 1350 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Mizuguchi, by request.

No. 1351 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE OF THE COUNTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1352 "A BILL FOR AN ACT RELATING TO LIABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 1353 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1354 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1355 "A BILL FOR AN ACT RELATING TO THE AUTONOMY OF PERSONNEL ADMINISTRATION SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1356 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPROVEMENT OF WATER SOURCE STORAGE FOR THE KULA WATER SYSTEM ON THE ISLAND OF MAUI."

Introduced by: Senator Mizuguchi, by request.

No. 1357 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1358 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1359 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1360 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1361 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1362 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1363 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 1364 "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1365 "A BILL FOR AN ACT RELATING TO EXEMPTING THE COUNTIES FROM GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1366 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 1367 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SALT LAKE BOULEVARD WIDENING, OAHU."

Introduced by: Senator Mizuguchi, by request.

No. 1368 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR COUNTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1369 "A BILL FOR AN ACT RELATING TO COUNTY EXEMPTION TO THE STATE STATUTE OF LIMITATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1370 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR COUNTIES."

Introduced by: Senator Mizuguchi, by request.

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 THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT."

Introduced by: Senator Mizuguchi, by request.

No. 1373 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS."

Introduced by: Senator Mizuguchi, by request.

No. 1374 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS."

Introduced by: Senator Mizuguchi, by request.

No. 1375 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS."

Introduced by: Senator Mizuguchi, by request.

No. 1376 "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS."

Introduced by: Senator Mizuguchi, by request.

No. 1377 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Senator Mizuguchi, by request.

No. 1378 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 1379 "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES."

Introduced by: Senator Mizuguchi, by request.

No. 1380 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1381 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Mizuguchi, by request.

No. 1382 "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: Senator Mizuguchi, by request.

No. 1383 "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURES ON ARREST."

Introduced by: Senator Mizuguchi, by request.

No. 1384 "A BILL FOR AN ACT RELATING TO ROBBERY."

Introduced by: Senator Mizuguchi, by request.

No. 1385 "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS."

Introduced by: Senator Mizuguchi, by request.

No. 1386 "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION AND DANGEROUS WEAPONS."

Introduced by: Senator Mizuguchi, by request.

No. 1387 "A BILL FOR AN ACT RELATING TO POSSESSION OF STOLEN ITEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1388 "A BILL FOR AN ACT RELATING TO PAWNBROKERS."

Introduced by: Senator Mizuguchi, by request.

No. 1389 "A BILL FOR AN ACT RELATING TO ARSON."

Introduced by: Senator Mizuguchi, by request.

No. 1390 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1391 "A BILL FOR AN ACT RELATING TO CONTRACT AND PROCUREMENT FRAUD."

Introduced by: Senator Mizuguchi, by request.

No. 1392 "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1393 "A BILL FOR AN ACT RELATING TO BURGLARY IN THE FIRST DEGREE."

Introduced by: Senator Mizuguchi, by request.

No. 1394 "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1395 "A BILL FOR AN ACT RELATING TO GAMBLING."
Introduced by: Senator Mizuguchi, by request.

No. 1396 "A BILL FOR AN ACT RELATING TO PAWNBROKERS."
Introduced by: Senator Mizuguchi, by request.

No. 1397 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."
Introduced by: Senator Mizuguchi, by request.

No. 1398 "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD."
Introduced by: Senator Mizuguchi, by request.

No. 1399 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."
Introduced by: Senator Mizuguchi, by request.

No. 1400 "A BILL FOR AN ACT RELATING TO IMPRISONMENT."
Introduced by: Senator Mizuguchi, by request.

No. 1401 "A BILL FOR AN ACT RELATING TO FIREARMS."
Introduced by: Senator Mizuguchi, by request.

No. 1402 "A BILL FOR AN ACT RELATING TO EXEMPTION OF STATE FUEL TAX ON COUNTY TRANSIT SYSTEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1403 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."
Introduced by: Senator Mizuguchi, by request.

No. 1404 "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE."
Introduced by: Senator Mizuguchi, by request.

No. 1405 "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE."
Introduced by: Senator Mizuguchi, by request.

No. 1406 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
Introduced by: Senator Mizuguchi, by request.

No. 1407 "A BILL FOR AN ACT RELATING TO THE PRIORITY OF THE REAL PROPERTY TAX LIEN."
Introduced by: Senator Mizuguchi, by request.

No. 1408 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1409 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1410 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1411 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1412 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1413 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1414 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1415 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1416 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1417 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1418 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1419 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
Introduced by: Senator Mizuguchi, by request.

No. 1420 "A BILL FOR AN ACT RELATING TO RECREATIONAL FACILITIES."
Introduced by: Senator Mizuguchi, by request.

No. 1421 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Mizuguchi, by request.

No. 1422 "A BILL FOR AN ACT RELATING TO VOTING RIGHTS OF MILITARY AND OVERSEAS CITIZENS."

Introduced by: Senator Slom.

No. 1423 "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE SCHOOL ALIENATION PROGRAM."

Introduced by: Senators Bunda, Chumbley, D. Ige, Inouye, Iwase, Kawamoto, Matsuura, Sakamoto, Tam.

No. 1424 "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE SCHOOL ALIENATION PROGRAM."

Introduced by: Senators Bunda, Chumbley, D. Ige, Inouye, Iwase, Kawamoto, Matsuura, Sakamoto, Tam.

No. 1425 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SCHOOL-TO-WORK PROGRAM."

Introduced by: Senators Bunda, Chumbley, D. Ige, Inouye, Iwase, Kawamoto, Matsuura, Sakamoto, Tam.

No. 1426 "A BILL FOR AN ACT RELATING TO PERIODIC MOTOR VEHICLE INSPECTION."

Introduced by: Senator Bunda.

No. 1427 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Bunda.

ADJOURNMENT

At 10:00 o'clock p.m., the Senate adjourned until 5:00 o'clock p.m., Wednesday, January 27, 1999.

SIXTH DAY

Wednesday, January 27, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 5:05 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Norman Okasako, Senior Pastor, Mililani Missionary Church, after which the Roll was called showing all Senators present with the exception of Senator D. Ige who was 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. 129 and 130) were read by the Clerk and were placed on file:

Gov. Msg. No. 129, dated January 14, 1999, transmitting a report prepared by the Department of Agriculture in response to H.C.R. No. 202 (1998), requesting the chairperson of the Board of Agriculture to convene a series of meetings to assess and recommend solutions regarding land tenure and financing to assist Hawaii's agricultural development.

Gov. Msg. No. 130, dated January 20, 1999, transmitting the Department of Agriculture's Annual Report for Fiscal Year 1998.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 26, 1999:

Senate Bill	Referred to:
No. 1018	Committee on Health and Human Services
No. 1019	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1020	Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1021	Committee on Health and Human Services
No. 1022	Committee on Health and Human Services, then to the Committee on Judiciary
No. 1023	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1024	Committee on Labor and Environment, then to the Committee on Judiciary
No. 1025	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1026	Committee on Health and Human Services
No. 1027	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1028 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1029 Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1030 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1031 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1032 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1033 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1034 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1035 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1036 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1037 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1038 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1039 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1040 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1041 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1042 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1043 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1044 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1045 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1046 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1047 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1048 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1049 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1050 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1051 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1052	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1076	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 1053	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1077	Committee on Economic Development, then to the Committee on Ways and Means
No. 1054	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1078	Committee on Economic Development, then to the Committee on Ways and Means
No. 1055	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1079	Committee on Economic Development
No. 1056	Committee on Health and Human Services	No. 1080	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1057	Committee on Health and Human Services, then to the Committee on Labor and Environment	No. 1081	Committee on Economic Development, then to the Committee on Ways and Means
No. 1058	Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1082	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1059	Committee on Economic Development, then to the Committee on Ways and Means	No. 1083	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
No. 1060	Committee on Economic Development, then to the Committee on Ways and Means	No. 1084	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
No. 1061	Committee on Economic Development, then to the Committee on Ways and Means	No. 1085	Committee on Economic Development, then to the Committee on Ways and Means
No. 1062	Committee on Economic Development, then to the Committee on Ways and Means	No. 1086	Committee on Economic Development, then to the Committee on Judiciary
No. 1063	Committee on Economic Development	No. 1087	Committee on Economic Development, then to the Committee on Ways and Means
No. 1064	Committee on Economic Development, then to the Committee on Ways and Means	No. 1088	Committee on Economic Development, then to the Committee on Judiciary
No. 1065	Committee on Economic Development, then to the Committee on Ways and Means	No. 1089	Committee on Economic Development
No. 1066	Committee on Economic Development, then to the Committee on Ways and Means	No. 1090	Committee on Economic Development
No. 1067	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. 1091	Committee on Economic Development, then to the Committee on Judiciary
No. 1068	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1092	Committee on Economic Development
No. 1069	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1093	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. 1070	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1094	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1071	Committee on Economic Development, then to the Committee on Ways and Means	No. 1095	Committee on Economic Development, then to the Committee on Judiciary
No. 1072	Committee on Economic Development, then to the Committee on Ways and Means	No. 1096	Committee on Economic Development, then to the Committee on Judiciary
No. 1073	Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	No. 1097	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. 1074	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1098	Committee on Water, Land, and Hawaiian Affairs
No. 1075	Committee on Ways and Means	No. 1099	Committee on Economic Development, then to the Committee on Ways and Means
		No. 1100	Committee on Government Operations and Housing, then to the Committee on Ways and Means
		No. 1101	Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection

No. 1102	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1130	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1103	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1131	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1104	Committee on Judiciary, then to the Committee on Ways and Means	No. 1132	Committee on Commerce and Consumer Protection
No. 1105	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1133	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1106	Committee on Judiciary, then to the Committee on Ways and Means	No. 1134	Committee on Commerce and Consumer Protection
No. 1107	Committee on Judiciary	No. 1135	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 1108	Committee on Judiciary, then to the Committee on Ways and Means	No. 1136	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1109	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 1137	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1110	Committee on Judiciary, then to the Committee on Ways and Means	No. 1138	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1111	Committee on Judiciary	No. 1139	Committee on Commerce and Consumer Protection
No. 1112	Committee on Judiciary	No. 1140	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1113	Committee on Judiciary	No. 1141	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1114	Committee on Judiciary	No. 1142	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 1115	Committee on Judiciary	No. 1143	Committee on Commerce and Consumer Protection
No. 1116	Committee on Judiciary	No. 1144	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1117 and Housing	Committee on Government Operations	No. 1145	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1118	Committee on Judiciary	No. 1146	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1119	Committee on Judiciary, then to the Committee on Ways and Means	No. 1147	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1120	Committee on Judiciary	No. 1148	Committee on Labor and Environment, then to the Committee on Judiciary
No. 1121	Committee on Judiciary, then to the Committee on Ways and Means	No. 1149	Committee on Labor and Environment
No. 1122	Committee on Judiciary	No. 1150	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1123	Committee on Judiciary, then to the Committee on Ways and Means	No. 1151	Committee on Judiciary
No. 1124	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1152	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1125	Committee on Commerce and Consumer Protection	No. 1153	Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 1126	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1154	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1127	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1155	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1128	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		
No. 1129	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		

- No. 1156 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1157 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1158 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1159 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1160 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Judiciary
- No. 1161 Jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1162 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1163 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1164 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1165 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1166 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1167 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
- No. 1168 Committee on Transportation and Intergovernmental Affairs
- No. 1169 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1170 Committee on Ways and Means
- No. 1171 Committee on Ways and Means
- No. 1172 Committee on Ways and Means
- No. 1173 Committee on Ways and Means
- No. 1174 Committee on Ways and Means
- No. 1175 Committee on Ways and Means
- No. 1176 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1177 Committee on Ways and Means
- No. 1178 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1179 Committee on Ways and Means
- No. 1180 Committee on Ways and Means
- No. 1181 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1182 Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1183 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1184 Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1185 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1186 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1187 Committee on Education and Technology, then to the Committee on Judiciary
- No. 1188 Committee on Economic Development
- No. 1189 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1190 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1191 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1192 Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1193 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1194 Committee on Transportation and Intergovernmental Affairs
- No. 1195 Committee on Education and Technology, then to the Committee on Government Operations and Housing
- No. 1196 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1197 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1198 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1199 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1200 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1201 Committee on Ways and Means
- No. 1202 Committee on Ways and Means
- No. 1203 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1204 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1205 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 1206 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1207 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1208 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1209 Committee on Education and Technology, then to the Committee on Commerce and Consumer Protection

No. 1210 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. 1211 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs

No. 1212 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1213 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1214 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1215 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. 1216 Committee on Transportation and Intergovernmental Affairs

No. 1217 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 1218 Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 1219 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1220 Committee on Economic Development, then to the Committee on Ways and Means

No. 1221 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1222 Committee on Economic Development, then to the Committee on Ways and Means

No. 1223 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
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No. 155 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 661 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 10) were read by the Clerk and were disposed of as follows:

Misc. Com. No. 1, from the County of Kauai, Department of Water, dated December 9, 1998, transmitting the "Proposed C.I.P. Projects, Request for State Aid, 1999 Legislative Session," and Resolution No. 2, 1999-2000 Legislative Budget, that was adopted by the Kauai board of Water Supply on October 15, 1998, was placed on file.

Misc. Com. No. 2, from the County of Hawaii Police Department dated December 18, 1998, transmitting its Annual Misconduct Report, pursuant to Section 92F-13, HRS, was placed on file.

Misc. Com. No. 3, from the County of Maui Police Department dated December 29, 1998, transmitting its 1998 Incidents of Suspension and Discharge Annual Report, pursuant to Act 242, SLH 1995, was placed on file.

Misc. Com. No. 4, from the City and County of Honolulu Police Department dated December 30, 1998, transmitting the 1998 Annual Report pursuant to Act 242, SLH 1995, was placed on file.

Misc. Com. No. 5, from the Hawaii State Bar Association dated December 31, 1998, transmitting the Hawaii Tort Law Study Group Report, pursuant to S.C.R. No. 256 (1997), was placed on file.

Misc. Com. No. 6, from the County of Kauai Police Department dated January 4, 1999, transmitting the 1998 Annual Report pursuant to Act 242, SLH 1995, was placed on file.

Misc. Com. No. 7, from the Committee on Performance Budgeting dated January 5, 1999, transmitting a report on performance budgeting pursuant to Act 230, Section 5, SLH 1998, was placed on file.

Misc. Com. No. 8, from the Hawaii Health Systems Corporation dated January 14, 1999, transmitting a report pursuant to H.C.R. No. 147 (1998), requesting the Hawaii Health Systems Corporation to determine and recommend to the legislature the necessary steps to enhance the corporation's ability to negotiate contracts that determine the reimbursement costs for medical services, was placed on file.

Misc. Com. No. 9, from the Joint Legislative Committee on Long-Term Care dated December 1, 1998, transmitting the joint legislative committee report pursuant to Act 339, SLH 1997, was placed on file.

The Chair having so ordered, Misc. Com. No. 9 is identified as ATTACHMENT "A" to the Journal of this day.

Misc. Com. No. 10, from the Joint Legislative Committee on Long-Term Care Financing dated January 26, 1999, transmitting the joint legislative committee report pursuant to H.C.R. No. 225 (1998), requesting a study to assess strategies for organizing the various forms of residential care providers, was placed on file.

The Chair having so ordered, Misc. Com. No. 10 is identified as ATTACHMENT "B" to the Journal of this day.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"We've all received the latest Legislative Auditor's report on the audit of the Child Protective Services system. There has been continuing problems and continuing controversy with this agency. I find that it is an embarrassment and it's outrageous what has been going on in the agency.

"We're all aware of the problems with the children. We spend a great deal of time and effort and resources talking about how important the keiki are to us. We have the keiki caucus, we provide legislation, we provide appropriations. But this agency, which is responsible for the care and nurturing of children and particularly those at greatest risk, has shown the greatest reluctance in the lack of leadership to provide changes and to do the things that are necessary.

"My good, close friend Mr. Gary Rodrigues and I share one item in common, and that is Mr. Rodrigues always says that it's not the fault of public employees, it is the fault of management in state government that creates the problems. And I totally concur with him. There is no better example than in Child Protective Services and in the management of the Department of Human Services, or lack of management. And I'm wondering just how long the Governor, who appoints that manager, and how long this Legislature that funds programs and expresses its care and concern for children is going to put up with this situation and an individual who is unable and unwilling to make the changes and do the things that are necessary to protect our children.

"So Mr. President, I would like to see action in this area and I would like to see the removal of the head of the Department of Human Services. Thank you."

Senator Chun Oakland also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I share the concerns of the previous speaker. I do want you to know that the study that was done by the Auditor took place without the benefit of the omnibus bill that we had passed this past session. Since that time, there have been a number of changes -- improved communication between HPD, other police departments and the DHS. There are a number of points in the audit that are very much on point. The CPS roundtable, over the past few years, has worked to develop an omnibus bill that reflects the concerns raised in the auditor's report, which we did pass.

"So I believe that the Legislature has acted very well to address some of the Auditor's concerns as well as our concerns and the community's concerns and I do hope that we can continue this effort in the next session. Thank you."

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 7:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 5:13 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1428 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED IMPROVEMENT PROJECT."

Introduced by: Senators Ihara, Fukunaga, Taniguchi.

No. 1429 "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES."

Introduced by: Senator Chun.

No. 1430 "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY."

Introduced by: Senator Buen.

No. 1431 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI."

Introduced by: Senators Buen, Chun.

No. 1432 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."

Introduced by: Senators D. Ige, Fukunaga.

No. 1433 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

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

No. 1434 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators D. Ige, Fukunaga.

No. 1435 "A BILL FOR AN ACT RELATING TO TRADEMARKS."

Introduced by: Senator D. Ige.

No. 1436 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator D. Ige.

No. 1437 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senators Kawamoto, Bunda.

No. 1438 "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCUREMENT."

Introduced by: Senators Kawamoto, Bunda, Hanabusa, Iwase, Sakamoto.

No. 1439 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Kawamoto, Buen, Bunda, Fukunaga, Hanabusa, Inouye, Iwase, Kanno, Nakata, Tam.

No. 1440 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senators Kawamoto, Hanabusa.

No. 1441 "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS."

Introduced by: Senators Kawamoto, Bunda.

No. 1442 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Inouye, Levin, Buen, Matsuura.

No. 1443 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senators Inouye, Taniguchi.

No. 1444 "A BILL FOR AN ACT RELATING TO ROADSIDES."

Introduced by: Senator Inouye, by request.

No. 1445 "A BILL FOR AN ACT RELATING TO LAND EXCHANGE."

Introduced by: Senator Inouye, by request.

No. 1446 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Nakata, Levin, Taniguchi.

No. 1447 "A BILL FOR AN ACT RELATING TO THE FREE EXERCISE OF RELIGION."

Introduced by: Senators Bunda, Sakamoto, Matsuura, Nakata, Chun Oakland.

No. 1448 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Bunda, Buen, Chumbley, Chun, Chun Oakland, D. Ige, Fukunaga, Ihara, Inouye, Iwase, Kanno, Kawamoto, Levin, M. Ige, Matsuura, Nakata, Sakamoto, Tam, Tanaka, Taniguchi.

No. 1449 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senator Bunda.

No. 1450 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Senator Tanaka.

No. 1451 "A BILL FOR AN ACT RELATING TO YOUTH SERVICES."

Introduced by: Senator Chun Oakland.

No. 1452 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Chun Oakland.

No. 1453 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Matsunaga, Inouye, Taniguchi.

No. 1454 "A BILL FOR AN ACT RELATING TO PERSONAL WATERCRAFT."

Introduced by: Senator Matsunaga.

No. 1455 "A BILL FOR AN ACT RELATING TO PROXIES."

Introduced by: Senator Matsunaga.

No. 1456 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Senator Matsunaga.

No. 1457 "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS."

Introduced by: Senator Matsunaga.

No. 1458 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Iwase.

No. 1459 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Iwase.

No. 1460 "A BILL FOR AN ACT RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF."

Introduced by: Senators Ihara, Taniguchi.

No. 1461 "A BILL FOR AN ACT RELATING TO NURSES."

Introduced by: Senators Ihara, Taniguchi.

No. 1462 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Chumbley, Matsunaga, Ihara, Chun, Fukunaga, Levin, Hanabusa, Chun Oakland, D. Ige, Taniguchi, Nakata, Kanno, Tam, Kawamoto, Sakamoto.

No. 1463 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Hanabusa, by request.

No. 1464 "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL."

Introduced by: Senators Nakata, Sakamoto, Bunda, Chumbley, Chun Oakland, D. Ige, M. Ige, Ihara, Levin, Matsuura, Taniguchi.

No. 1465 "A BILL FOR AN ACT RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION."

Introduced by: Senators Fukunaga, Levin.

No. 1466 "A BILL FOR AN ACT RELATING TO STATE RISK MANAGEMENT."

Introduced by: Senator Chun.

No. 1467 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Chun.

No. 1468 "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION."

Introduced by: Senator Mizuguchi, by request.

No. 1469 "A BILL FOR AN ACT RELATING TO THE ADJUDICATION OF TRAFFIC INFRACTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1470 "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1471 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Fukunaga, by request.

No. 1472 "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS."

Introduced by: Senator Sakamoto.

No. 1473 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TWENTY-FOUR HOUR QUICK RESPONSE EMERGENCY MEDICAL SERVICES UNIT FOR MAKAKILO-KAPOLEI."

Introduced by: Senator Kanno.

No. 1474 "A BILL FOR AN ACT RELATING TO FINES."

Introduced by: Senator Kanno.

No. 1475 "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT."

Introduced by: Senator Kanno.

No. 1476 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Kanno, Chumbley.

No. 1477 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST VERTICIL INTERNATIONAL, INC. TO ESTABLISH A MANUFACTURING FACILITY."

Introduced by: Senators Sakamoto, Chun, Fukunaga, D. Ige.

No. 1478 "A BILL FOR AN ACT RELATING TO PLANTS."

Introduced by: Senator Inouye.

No. 1479 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Matsuura.

No. 1480 "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICT LANDS."

Introduced by: Senators Matsuura, Anderson, Buen, Tanaka.

No. 1481 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC."

Introduced by: Senators Matsuura, Levin.

No. 1482 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Matsuura.

No. 1483 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senator Matsuura.

No. 1484 "A BILL FOR AN ACT RELATING TO INCREASING THE PAY FOR PRISON GUARDS TO ALLEVIATE A CRISIS AT HAWAII'S CORRECTIONAL FACILITIES."

Introduced by: Senator M. Ige.

No. 1485 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator M. Ige.

No. 1486 "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATIONS FOR FELIX-WAIHEE CONSENT DECREE LAWSUITS."

Introduced by: Senator M. Ige.

No. 1487 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SUBSTANCE ABUSE TREATMENT PROGRAM AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER."

Introduced by: Senator M. Ige.

No. 1488 "A BILL FOR AN ACT RELATING TO THE KAWAINUI MARSH."

Introduced by: Senator M. Ige.

No. 1489 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OCEAN PROGRAMS."

Introduced by: Senators Fukunaga, Tam.

No. 1490 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Fukunaga, by request.

No. 1491 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE COUNTY OF HAWAII."

Introduced by: Senator Levin.

No. 1492 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES."

Introduced by: Senator Levin.

No. 1493 "A BILL FOR AN ACT RELATING TO KONA COFFEE LANDS."

Introduced by: Senator Levin.

No. 1494 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MICONIA ERADICATION PROGRAM IN THE COUNTY OF HAWAII."

Introduced by: Senator Levin.

No. 1495 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HAWAIIAN CULTURAL ENTREPRENEURIAL SCHOOL."

Introduced by: Senator Levin.

No. 1496 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MEDICAL WASTE FACILITY PROJECT DEVELOPMENT."

Introduced by: Senators Buen, Kanno.

No. 1497 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Slom.

No. 1498 "A BILL FOR AN ACT RELATING TO PERFORMANCE CONTRACTS."

Introduced by: Senator Slom.

No. 1499 "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT."

Introduced by: Senator Bunda.

No. 1500 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND A COMMUNITY MAPPING PROJECT FOR WAIALUA, O'AHU."

Introduced by: Senator Bunda.

No. 1501 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chumbley, Buen, D. Ige, Inouye, Matsunaga, Tanaka.

No. 1502 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Chumbley, Matsunaga, Chun, Ihara.

No. 1503 "A BILL FOR AN ACT RELATING TO TECHNICAL ASSISTANCE TO MICROENTERPRISES PROVIDED UNDER GRANTS TO NONPROFIT BUSINESS DEVELOPMENT ORGANIZATIONS."

Introduced by: Senators Chumbley, Buen.

No. 1504 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senators Kanno, Nakata, Hanabusa, Chumbley, Chun Oakland, Fukunaga, Ihara, Matsunaga, Mizuguchi, Sakamoto, Tam, Taniguchi.

No. 1505 "A BILL FOR AN ACT RELATING TO TAX ON FOOD AND MEDICINE."

Introduced by: Senators Anderson, Slom.

No. 1506 "A BILL FOR AN ACT RELATING TO LIMITATIONS ON ADMINISTRATIVE RULES."

Introduced by: Senators Anderson, Slom.

No. 1507 "A BILL FOR AN ACT RELATING TO THE HURRICANE RELIEF FUND."

Introduced by: Senator Anderson.

No. 1508 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Anderson.

No. 1509 "A BILL FOR AN ACT RELATING TO KANEOHE BAY."

Introduced by: Senator Anderson.

No. 1510 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Matsunaga, Chumbley.

No. 1511 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIFORM LAWS."

Introduced by: Senator Taniguchi.

No. 1512 "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT."

Introduced by: Senator Taniguchi.

No. 1513 "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS."

Introduced by: Senator Taniguchi.

No. 1514 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS IN THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Taniguchi.

No. 1515 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Tam.

No. 1516 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Tam.

No. 1517 "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS."

Introduced by: Senator Tam.

No. 1518 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Tam.

No. 1519 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Tam.

ADJOURNMENT

At 7:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 28, 1999.

ATTACHMENT "A"

MISC. COMM. NO. 9

Honolulu, Hawaii
December 1, 1998RE: H.B. No. 147 (Act 339)
H.D. 1
S.D. 1
C.D. 1Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twentieth State Legislature
Regular Session of 1999
State of HawaiiHonorable Norman Mizuguchi
President of the Senate
Twentieth State Legislature
Regular Session of 1999
State of Hawaii

Sirs:

Your Joint Legislative Committee on Long-Term Care, appointed pursuant to H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, adopted by the Regular Session of 1997, begs leave to report as follows:

PART I. BACKGROUND**Introduction**

The population of residents in Hawaii aged seventy and over is the fastest growing segment of the overall population. The population of disabled persons is also increasing gradually. As people age or become disabled, they need services to help them with the activities of daily living. These services are currently being provided by family members, professional organizations, and institutions and are sometimes entirely lacking. Ideally, a person should be able to age-in-place in a setting of the person's choosing, though this is not always possible. It is incumbent upon the Legislature to help Hawaii's elderly and disabled persons to cope with daily living and to live with dignity. The approach to helping Hawaii's elderly and disabled should be prompted by compassion and caring, although the problem is inextricably one of economics.

Hawaii's citizens are faced with an overwhelming financial burden of caring for their elderly and disabled citizens. The elderly and disabled population needing long-term care (LTC) will continue to grow as the population ages. Nursing home costs often exceed a family's ability to pay, threatening a family's financial self-sufficiency. The cost per year in 1996 in a nursing home averaged about \$38,000. This cost is only an average and varies widely across the country. In Hawaii, the cost is substantially more. However, nursing home care is but one component of an array of LTC services options, including care at home and in community-based facilities.

Due to high institutional costs, it is likely that more home- and community-based services will become predominant. Services, such as personal care, chore, respite care, and day care are less costly than

institutional care, but they are still expensive. For example, if one receives skilled nursing care in the home from a nurse three times a week for two hours per visit for a year, the cost is about \$12,300. If one receives personal care in the home from a home health aide three times a week for two hours per visit for a year, the cost is about \$8,400. These are national averages for 1996, with Hawaii being characteristically higher.

For those who will rely on home- and community-based care, there are social as well as financial costs. To accommodate the demands of caregiving that grow as dependency increases over the years, caregivers (usually the family) work reduced hours at their jobs; adjust or abandon career and personal goals; place their own health in jeopardy; expose themselves to increased debilitation from overwork as they age; and retire earlier than intended, resulting in lower pensions and retirement benefits. This problem is magnified when one considers the high cost of living in Hawaii and the necessity for people to hold two or more jobs. However, people in Hawaii seem to prefer home- and community-based care in spite of these sacrifices.

Current methods of financing LTC involve predominantly Medicaid, private insurance, and personal assets. Medicaid which is limited to financially qualified persons of low income, pays for institutional care (about eighty per cent of all nursing home residents are dependent on Medicaid) and some home- and community-based services. However, Medicaid funding from the federal government cannot be relied upon in the future. Private insurance is not widespread, and most people do not have sufficient personal assets. Medicare does not pay for long-term care.

Since increasing numbers of Hawaii's population will need LTC services, there is a compelling need to create an affordable method of financing those services. Unlike the past, federal and state moneys cannot be relied upon in the future. What Hawaii needs is another method of financing that is affordable and suitable for the majority of residents who do not qualify for Medicaid, do not currently have private LTC insurance, and do not have sufficient personal assets.

No state has a universal (covering all persons) LTC program, whether tax-based or insurance-based, as distinguished from Medicaid programs that cover LTC services as medical coverage for qualified persons. Hawaii would become the first state with a universal LTC program if the recommendations of the JLC are adopted.

Legislative Mandate

Act 339, Session Laws of Hawaii 1997, established the Joint Legislative Committee on Long-Term Care (JLC). The purpose of Act 339 was to "...create a joint legislative committee to develop a sound financial plan to address a problem of compelling state interest, the current and future long-term care needs of the people of Hawaii."

The JLC is composed of eight members: four members of the House of Representatives, of whom three are of the Democratic Party and one is of the Republican Party, all to be appointed by the Speaker of the House; and four members of the Senate, of whom three are of the Democratic Party and one is of the Republican Party, all to be appointed by the President of the Senate.

The members are: Senator Suzanne Chun Oakland and Representative Dennis Arakaki, Co-Chairs; Senators Les Ihara, Jr. (appointed in place of Senator Rosalyn Baker), Andrew Levin, and Sam Slom; and Representatives Marcus Oshiro, Paul Whalen, and Nobu Yonamine.

Approach of the JLC

The JLC held a series of eleven public meetings for input and discussion at the State Capitol on: September 5, 1997; September 29, 1997; October 16, 1997; October 27, 1997; November 13, 1997; January 8, 1998; June 1, 1998; June 30, 1998; August 3, 1998; October 2, 1998 (for status of proceedings); and October 20, 1998 and November 20, 1998 (to determine recommendations).

Information was provided by the Department of Human Services, Department of Health, the Executive Office on Aging, the Statewide Council on Developmental Disabilities, county agencies on aging and elderly affairs, life insurers, long-term care insurers, health insurers, health care associations, health care providers, advocacy organizations for the elderly and disabled, long-term care associations, nursing homes, adult residential care homes, business organizations, hospitals, hospices, the University of Hawaii, the Governor's Blue Ribbon Panel on Living and Dying with Dignity, and interested individuals.

Based on the input obtained from the meetings, the JLC issued a "Request for Proposals No. SH2-98 for Competitive Sealed Proposals to Provide a Plan to Finance Long-Term Care in Hawaii" on May 26, 1998, to obtain a preliminary actuarial analysis. A contract was awarded on June 29, 1998, to Dr. Lawrence H. Nitz, Associate Professor of Political Science at the University of Hawaii, who has a background in research and consultation on LTC.

Dr. Nitz presented his recommendations regarding the establishment of a state-sponsored public trust fund verbally at the August 3, 1998, meeting of the JLC. The recommendations were formulated into a proposed financing plan which became an alternative model for the JLC, as explained in Part IV of this report. The plan was presented in outline form to the public by Dr. Nitz on behalf of the JLC in a series of statewide public briefings on: August 13, 1998, at Maui Community College; August 17, 1998, at the State Capitol Auditorium; August 18, 1998, at Pearl City Elementary School; August 19, 1998, at the King Kamehameha Hotel, Kona; August 20, 1998, at the Hawaii Naniloa Hotel, Hilo; August 24, 1998, at Castle High School; and August 25, 1998, at the Kauai County Council Chambers.

The JLC was assisted in research and recording minutes of public meetings and notes on public briefings by the Senate Majority Office (Dennis Chu), House Majority Staff Office (Wes Lum), and Legislative Reference Bureau (Peter Pan). Research was performed to obtain requested information about LTC services and Medicaid programs in Hawaii and other states.

PART II. THE CURRENT STATE OF LONG-TERM CARE IN HAWAII

What is Long-Term Care?

The JLC formulated the following definition of LTC:

"Long-term care is the organization and delivery of a wide range of health and human services to people who are severely disabled or limited in their functional capacities for a relatively long and indefinite period of time. In medical terms, long-term care is chronic care: the aim is management, control of symptoms, and maintenance of function. Long-term care has a vast non-medical dimension, and many individuals requiring long-term care are not sick. They may have been injured, or were born with a developmental disability that limits their activities, but otherwise may be perfectly healthy."

The JLC supplemented this definition with a vision statement:

"Long-term care refers to a comprehensive range of personal, medical, mental health, and social services developed and coordinated to meet the physical, social, and emotional needs of people of all ages with disabilities. These comprehensive services should meet peoples' changing needs over an extended period of time. Long-term care services can be delivered in an institution, the community, or the home."

The definition used by the National Association of Insurance Commissioners' is helpful in understanding the insurance perspective:

"Long-term care involves a wide variety of services for people with a prolonged physical illness, disability or cognitive disorder (such as Alzheimer's disease). Long-term care is not one service, but many different services aimed at helping people with chronic conditions compensate for limitations in their ability to function independently. Long-term care differs from traditional medical care as it is designed to assist a person to maintain his or her level of functioning, as opposed to care or services that are designed to rehabilitate or correct certain medical problems. Long-term care services may include, but are not limited to, help with daily activities at home, such as bathing and dressing, respite care, home health care, adult day care, and care in a nursing home."

Scope of Frailties Requiring LTC Services

Long-term care services typically are required when a person needs assistance with:

1. **Mobility:** difficulty getting in and out of bed, standing up and sitting down, walking, and moving from bed to chair or visa versa;
2. **Bathing:** using grab bars or lifts, having a person to help set up the bath and to wash, getting in and out of a tub or shower, and washing the body;
3. **Toileting:** safely getting to and from the toilet, getting undressed and dressed, cleaning up, and performing basic personal hygiene;
4. **Continence:** voluntarily controlling bladder and bowel function, caring for incontinence if it occurs, cleaning up after accidents, and someone to remind to go to the bathroom;
5. **Dressing:** putting on and taking off clothes, and managing buttons and zippers;
6. **Eating:** shopping for food, cooking and serving food, feeding oneself, grasping utensils, and cleaning face and hands; and
7. **Daily Living:** going to doctor appointments, shopping, yardwork, doing laundry, cleaning house, going to occasional restaurant meals, and going to library.

Levels of LTC Services: Categories

Community-Based Care - This category of care helps the elderly and disabled maintain independence and encourages continued involvement in their communities. Services include but are not limited to adult day care, adult day health care, nursing level care in specialized homes, foster care, and social and recreational programs at senior citizen centers.

In-Home Care - As capabilities diminish to semi-independence and the elderly or disabled person becomes more homebound and less able to participate fully in the community, LTC services then shift to the home setting. Home-based services seek to support, not supplant, the existing informal (family) support network. Services include homemaking, transportation, home visits from physicians, nurses, therapists, social workers, and attendants who provide medical and personal care, and home modification assistance.

Institutional Care - Usually referring to nursing homes, this level of care is for persons with significantly diminished capabilities that warrant placement in an institution providing medical supervision and nursing care around the clock. There are various levels of institutional care that are licensed for the level of care being provided and the number of patients, including skilled nursing facilities, intermediate care facilities, and adult residential care homes.

Assisted Living Facilities - This is a recent development in LTC. Assisted living facilities are a combination of housing, health care services, and personalized supportive services designed to respond to individual needs and to promote choice, responsibility, independence, privacy, dignity, and individuality. Assisted living facilities provide private living quarters but with communal dining and recreational/social activities, a hybrid of hotel, retirement home, and elderly apartment complex. Residents have their own apartment-like homes, where they are allowed to "age in place." There is usually on-call, on-premises nursing services, health monitoring, and medication administration assistance. Assisted living facilities cost less than nursing homes. In 1996 in Hawaii, estimated costs were in a range of \$1,800 to \$2,300 per month.

Financing of LTC

Medicaid Coverage - Medicaid is a need-based program of medical coverage, paid for by matching federal and state moneys that pays for medical expenses of a qualified recipient, including hospital, LTC facilities, adult care homes, and some home- and community-based care. Eligibility for Medicaid is determined by federal requirements using a percentage of income formula specific to the type of care.

Medicare Coverage - Medicare is a Social Security program for persons sixty-five years of age and older, or younger for a qualifying disability. There are two parts to Medicare coverages, Part A and Part B.

Part A, for hospital insurance, is mandatory. This covers hospitalization for up to ninety days with a deductible to be paid by the patient for each hospital stay of \$736; skilled nursing facility for up to twenty days (total coverage) and an additional eighty days (co-pay required); part-time home health care, intermittent skilled care, home health aide services, durable medical equipment and supplies, and occupational and physical therapy; and hospice care for up to two ninety-day periods, and one thirty-day period and one extension period of indefinite duration if necessary.

Part B, for medical insurance, is voluntary. This covers doctor services and many other medical services, outpatient hospital care, ambulance services, and X-rays, with eighty percent of approved costs being covered after an annual deductible of \$100.

It is important to understand that Medicare does not pay for LTC, whether Part A or Part B. It is a health insurance program that individuals pay for as part of Social Security to provide medical and hospital care when individuals are over age sixty-five.

Private Insurance - Insurance policies vary widely in coverages. Some policies cover only stays in nursing homes. Others cover only care in a person's own home. Still others cover both nursing home and home care. In addition, many policies also cover services provided in adult day care centers or other community facilities. Costs of a policy vary widely, depending on the coverages, age of the insured, and underwriting standards.

PART III. PLANS AND OPTIONS CONSIDERED BY THE JLC

Social Insurance

The "Hawaii Family Hope Financing Plan" (Family Hope) is a form of social insurance with mandatory participation by anyone with income above a specified threshold, with automatic coverage for non-working spouses. Family Hope was proposed in House Bill No. 31, Regular Session of 1993, as an outgrowth of two earlier reports submitted to the Legislature by the Executive Office on Aging: one entitled, "Financing Long-Term Care" (January, 1991), and the other on the findings and recommendations of The Long-Term Care Financing Advisory Board (February, 1992). The Advisory Board was created pursuant to Act 133, Session Laws of Hawaii 1991, "to advise the Executive Office on Aging on the establishment of a comprehensive long-term care financing program for Hawaii residents", including the "feasibility of creating a public fund to be administered by a public body."

As proposed in H.B. No. 31, Family Hope would have required a graduated "contribution tax" on income to be paid by "every unmarried resident individual and every married resident individual who does not make a single return jointly with the individual's resident spouse". A "Hawaii Long-Term Care Trust Fund System" would have been established to "...administer a comprehensive long-term care financing program funded by annual mandatory contribution taxes and other sources..." Payments would have been made for covered long-term care services not covered by medical or other insurance, such as: primary institutional LTC benefits (nursing homes), primary noninstitutional LTC benefits (home- and community-based care), and associated noninstitutional LTC benefits (homemaker services, companion services, home meal delivery, and chore services).

As proposed to the JLC by Melvin Sakurai, Ph.D, Family Hope consultant to the Executive Office on Aging, the Family Hope plan was modified to include a mandatory stand-alone "back end" program covering nursing home care financed by mandatory taxes. Benefits would begin after one year of care, with private insurance covering the first year, and a two-part mandatory-voluntary comprehensive program, covering home- and community-based care, which splits benefits into two parts, one covered by the mandatory tax and the other by voluntary LTC private insurance (coverages for each part were not specified).

Both options require the imposition of a dedicated tax. The stand-alone back end program entices private insurers to fill the gap for the first year. The first part of the two-part program is to allow voluntary LTC private insurance to build awareness and public acceptance for the second part, a mandatory tax. Viability of the two-part program could be enhanced by encouraging large employer groups to offer LTC insurance policies to their employees.

Private LTC Insurance

Private insurance to cover LTC is of recent origin in the nation. The first policies were issued in Hawaii in the late 1980's. Only now has there been sufficient actuarial data to "price" such policies, i.e., to determine the claims costs and policy premiums.

Long-term care insurance was authorized in Hawaii in 1989. As defined by section 431:10A-521, HRS:

"Long-term care insurance" means any insurance policy or rider advertised, marketed, offered, or designed to provide coverage for not less than twelve consecutive months for each covered person on an expense incurred, indemnity, prepaid or other basis, for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services, provided in a setting other than an acute care unit of a hospital. The term includes group and individual annuities and life insurance policies or riders that provide directly or that supplement long-term care insurance. The term also includes a policy or rider that provides for payment of benefits based upon cognitive impairment or loss of functional capacity. Long-term care insurance may be issued by insurers, fraternal benefit societies, nonprofit health, hospital, and medical service corporations, prepaid health plans, health maintenance organizations, or any similar organization. Long-term care insurance shall not include any insurance policy offered primarily to provide basic medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income or related asset-protection coverage, accident only coverage, specified disease or specified accident coverage, or limited benefit health coverage."

As of September, 1997, there were fifty mainland-based insurers underwriting LTC policies in Hawaii, according to the Insurance Division. There were no Hawaii-based insurers underwriting LTC policies, other than those acting as agents for mainland insurers. The Hawaii Medical Service Association (HMSA), as a mutual benefit society, has offered LTC policies since 1991. Coverages vary widely from policy to policy, ranging from home health care to nursing home care, including acute hospital care and combinations and variations of coverages.

The JLC considered proposals for universal private LTC insurance in Hawaii, so that everyone would be covered by a policy. The JLC concluded that an LTC insurance policy should have the following features:

1. Funding by a "flat" age-graded advanced-funded guaranteed renewable premium. Age-graded premiums vary according to the insured's age at the time of purchase. The premium should be locked in for the life of the policy. Advance-funding provides for the collection of more

money than actually needed to cover current risk in order to build up reserves to cover future liabilities;

2. "Anti-lapse" protection, so that the policy is not canceled when the insured does not make a premium payment (common occurrence with the elderly who may forget to make a premium payment);
3. Full institutional and community-based LTC benefits;
4. Inflation-adjusted benefit payouts;
5. Reduced paid-up non-forfeiture benefit to provide a reduced level of benefits after a policy lapses;
6. A "take all comers" requirement, so that no one is disqualified from purchasing a policy; and
7. Strong regulatory controls, modeled after the National Association of Insurance Commissioners Model Code.

The JLC considered the following proposals to make private LTC insurance universal:

1. State-funded subsidy to encourage the voluntary individual purchase of qualified private LTC insurance policies, such as purchase vouchers (Since this proposal is not currently feasible due to the State's economy, the JLC did not seriously consider it, but it is a viable possibility after a universal LTC system is implemented);
2. Income tax credits; and
3. Mandatory employer sponsored group LTC insurance benefits, modeled after mandatory prepaid health insurance.

The Insurance Division was unable to provide data on the current number of persons insured under a private LTC insurance policy or on the loss ratios for LTC insurance policies in Hawaii. The JLC was concerned that very few people in Hawaii (or anywhere in the nation) purchase LTC insurance, because the matter does not become a concern until one reaches the age of fifty; the premiums are expensive; and LTC insurance is generally not appropriate for lower-income persons (who could probably rely upon Medicaid).

Expanded Home/Community-Based Services

Expanding home- and community-based services is not a financing strategy, but is an approach to alleviating the necessity for expensive institutional care and reducing LTC costs to manageable levels. Proponents of this approach maintain that providing LTC in the home or in a community setting will keep a person sufficiently healthy to avoid a nursing home, and will satisfy most LTC needs, even for those who are bedridden; therefore institutional care should be reserved for those with the most serious conditions needing the most care. Moreover, the culture in Hawaii prefers at-home care for the elderly and disabled.

The counter argument is that nursing home care can be unavoidable, depending on the severity of a medical condition which is independent of whether or not home- and community-based care is provided.

Strategies for increasing home- and community-based care include providing:

1. More services involving intervention/outreach, prevention/screening, and informational programs;

2. Single point of entry and managed care to channel people away from institutional settings; and
3. Alternative congregate care settings, such as assisted living facilities or adult residential care homes.

While the expansion of home- and community-based services could lower LTC costs to the individual and enhance the quality of life for persons needing LTC, the net total LTC spending for the State as a whole would increase for the following reasons:

1. According to the federal General Accounting Office ("Long-Term Care: Current Issues and Future Directions", 1995): "...while home- and community-based programs were less costly on a per person basis, they generally raised total long-term care costs. Limited reductions in institutional use were more than offset by increased demand for home- and community-based care ...";
2. The frail elderly, whether as a result of their medical condition or as a result of prolonged home- and community-based care, may become so debilitated so as to need institutional care in a nursing home;
3. Early intervention and screening programs would likely identify more persons needing institutional care by uncovering previous unserved needs, thereby prompting delivery of appropriate institutional services earlier and for longer periods; and
4. Payment for non-institutional care is inherently more susceptible to abuse and fraud, although this could be deterred by quality assurance programs and fiscal accounting monitoring.

The State's Department of Human Service believes that Hawaii's unique culture and values postpone costly nursing home care.

German Health Insurance System

Germany provides LTC to its citizens as part of its universal government-sponsored health insurance system. In 1994, the German Parliament established mandatory LTC insurance to provide benefits to persons with physical, mental illness, or other mental incapacity who regularly need help in daily living for at least six months. There are benefits for nursing home care and community-based care. Financing is through a tax on employers and employees of 1.7 percent of income up to \$48,000 of income. To compensate employers for the tax, one paid vacation day was given up by employees. The self-employed pay 3.4 percent; an employer tax to cover pensioners is paid by the pension system; and the unemployed have their tax paid for by the unemployment system. The system has generated such a large pool of money that the tax is being adjusted downward.

Administration is through the large number of non-profit, quasi-public insurance companies which administer the national health insurance.

Benefits include: (1) reimbursement for community-based services; (2) cash payments to family caregivers; and (3) payments to nursing homes. Levels of disability are predetermined and schedule of payments for services is established.

Germany has experienced the following benefits in its LTC insurance system:

1. Significant savings in welfare budgets;
2. Greater sense of financial security for middle-class families;

3. Significant increase in family caregiving, with eighty percent electing to have cash paid to a family caregiver;
4. Significant decrease in nursing home admissions;
5. Expansion of private, innovative community-based services due to financial incentives; and
6. More responsiveness to consumers from home care agencies, due to increased competition.

The Kaigo Hoken System of Japan

The Kaigo Hoken System is Japan's government-based plan of providing LTC services for the Twenty-first Century. The plan covers citizens age forty and over. Citizens pay a monthly premium to the local government which acts as an insurer. Coverage is for community-based care and institutional care through a system of reimbursements and co-payment requirements of ten percent. The plan is a departure from Japan's current and traditional tax supported free medical service system. The start date is the year 2000, with mandatory participation for all citizens age forty and over.

Costs for reimbursements for community-based care are calculated to be \$1,000 per month for the first level of care up to \$2,143 per month for the fifth level of care. Monthly costs for institution-based care are calculated to be \$2,071 for intermediate care facilities; \$2,285 for skilled nursing facilities; and \$3,071 for sub-acute geriatric hospitals. These figures are calculated at seventy-five percent of actual costs and do not include the ten percent co-payments.

Part A and Part B Approach

The JLC considered a two-part approach to financing LTC in Hawaii, modeled after Medicare with mandatory (Part A) and optional (Part B) plans. Under this proposal, the mandatory part would cover institutional or nursing home care supported by a dedicated tax revenue source. The optional Part B portion would cover home- and community-based care.

Private LTC insurance policies vary in their coverage of their home- and community-based benefits; however, most cover "front-end" or lower-level disability assistance, and do not provide enough community-based care; lack anti-lapse provisions (policy terminates for failure to pay the premium); and do not effectively adjust for inflation in paying benefits.

The Part B optional plan considered by the JLC would be a plan publicly sponsored or administered by the private insurance sector, mutual benefit societies, or health maintenance organizations. The plan would provide coverage for two or three years of home- and community-based care with a benefits package to be delineated in an actuarial design that accounts for costs and degrees of impairment. The plan would be offered to all interested persons, with facilitation of purchase through health insurance companies, employers, and labor unions. Policies would contain anti-lapse provisions.

State-Created Private Insurance Company

Concerned that LTC insurance companies could reap financial windfalls at the expense of policyholders in selling policies to employers under an employer mandated scheme, the JLC also explored the possibility of requiring the Hawaii Employers' Mutual Insurance Company (HEMIC) to sell LTC, or creating an entity as a subsidiary of HEMIC to underwrite and market LTC insurance policies to the general public and to government workers. HEMIC was created by Act 261, Session Laws of Hawaii 1996, to sell workers' compensation insurance and employers' liability insurance to companies which could not obtain coverage through insurance companies. These companies were known as assigned risks and were relegated

to the residual market. In effect, HEMIC became an independent insurer for assigned risks. HEMIC has been successful in its underwriting and financial operations.

The JLC is aware that HEMIC is restricted by statute to workers' compensation and employers' liability insurance. However, there are significant advantages to using HEMIC, rather than establishing a public trust fund, including most significantly:

1. Avoiding the financial requirements and solvency risks inherent with a public trust fund;
2. Taking advantage of the existing administrative infrastructure of HEMIC to avoid administrative expenses;
3. Providing a ready market for selling policies through employers; and
4. Providing competition to LTC insurance companies.

This approach provides possibilities of lower premiums.

PART IV. STRUCTURING AN LTC PLAN

Preliminary Actuarial Analysis

Pursuant to a request for proposals (RFP) prepared by the Legislative Reference Bureau, a contract was awarded to Dr. Nitz, who in turn hired John Wilkins, a qualified actuary in LTC insurance and actuarial consultant to the California Public Employees Retirement System (CALPERS), to advise on establishing a public trust fund. After consultation with Mr. Wilkins, Dr. Nitz reported the following:

1. The preliminary analysis took into account current and pending models of LTC in California, Florida, and Ohio. Based on discussions with the JLC members, the CALPERS model was the focus because it is a voluntary program for public employees;
2. Based on Hawaii's difficult economic circumstances, it is more reasonable to implement a totally voluntary, front-end program that provides a three to four year program of home- and community-based services that includes assisted living facilities and adult residential care homes as valid community service options. In order to control costs, CALPERS requested bids nationwide from professional third-party administrators to administer the desired package of LTC benefits. Hawaii should do the same and not restrict itself to in-state insurers to achieve similar cost control;
3. Because Hawaii's program is intended to be entirely voluntarily, privately financed, requiring no new taxes, as inexpensive as possible, and covering as many people as possible, the actual number of people covered may be fewer than many expect. Employer programs may reach twenty percent participation at most, but typically do not exceed five to ten percent participation. In order to attain ten percent enrollment, it is necessary to offer low premiums and aggressively market the product. Large groups such as public employee unions, private employee unions, large businesses, and trade association groups, should be targeted for Hawaii's program enrollment. Even if only a small number of members from each group decide to sign up, the gross number of these individuals in the aggregate may form a large enough critical mass to make the program workable and affordable; and
4. Consideration should be given to a state-subsidized program by means of vouchers, tax credits, and direct payments to encourage enrollment.

Mr. Wilkins' findings were submitted to the JLC in the form of a report entitled, "Actuarial Issues for the Proposed Long-Term Care Program of Hawaii", for the development of a state-sponsored LTC program.

Alternatives for a Proposed Plan

The JLC developed alternative proposals for a model LTC plan that would preserve personal assets, promote individual peace of mind, relieve family economic pressure, avoid possible reliance upon Medicaid, and stimulate the economy by nurturing the LTC industry in Hawaii. The first alternative is to create a state-sponsored plan by establishing a public trust fund. The fund would be governed by a board of trustees and operate as an underwriter of LTC policies or as a marketing mechanism. The fund would underwrite or market LTC insurance policies, or both, to government and non-government employees and would be financed by premiums or by taxes.

As a premium-based underwriter, the fund would operate in a manner similar to a private insurance company by collecting premiums, accumulating reserves, processing and paying claims either directly or through a third-party administrator, and paying administrative costs. This operation is similar to CALPERS. Enrollment in the plan would be voluntary. The plan would target large groups, including employer organizations, labor unions, retiree groups, and trade associations. The board of trustees would hire a private sector third-party administrator to administer the fund, preferably a large mainland company with proven experience in administering LTC programs. In turn, the administrator would hire an independent actuary to construct the specifications for the program and would also hire private sector care coordinators (case managers) to administer the benefits.

As a marketer, the fund would select a private LTC insurer to underwrite the policy to be sold through the fund. This operation is similar to the Hawaii Public Employees Health Fund (HPEHF) in providing prepaid health insurance to public employees.

A second alternative is to add LTC insurance to HEMIC or create an entity as a subsidiary of HEMIC, as discussed above. This alternative would be financed through premiums from policyholders, who could be government and non-government employees.

A third alternative is for the State to facilitate the purchase of private LTC insurance policies. This can be accomplished through tax incentives. An income tax deduction for employers is an employee benefit that employers may find desirable. The JLC believes that any loss in revenue to the State would not be appreciable and would be more than off-set by the benefits of having large numbers of people insured for LTC. The State would need to increase public awareness about the necessity of planning ahead and purchasing LTC insurance at a young age; mandate the offering of LTC policies through large groups such as state and county governments, private employers, labor organizations, and professional, trade, and occupational associations; and provide income tax deductions for the purchase of LTC policies. The income tax deductions would apply to employees and self-employed as allowed under Internal Revenue Code section 213(d)(1)(C), (d)(1)(D), (d)(7), and (d)(10) for the amount of premium paid for LTC policies; and to employers, organizations, and associations for the amount of premiums paid in whole or in part for LTC policies purchased by their employees or members.

This alternative has other significant advantages:

1. The State would not become an underwriter or compete with private LTC insurers;
2. Inherent liabilities and solvency concerns of a public trust fund would be avoided;

3. Creating more bureaucracy with its attendant costs to administer a public trust fund would not be necessary; and
4. New private LTC insurance products have been developed and are ready to be mass marketed pending regulatory approval.

PART V. CONCLUSIONS

Findings

1. In the current economy, it is not realistic to propose a universal coverage, mandatory LTC financing package that covers home- and community-based care as well as nursing home care. Additional taxes may cause a burden which the majority of people may not be able to afford.

2. Most payments for home- and community-based LTC services are made by the patients or their families. Paying for these costs through an insurance program would minimize expenditures by patients and their families. The costs of these services can be controlled by LTC insurance underwriting principles. In effect, the risk and burden of payment is shifted to an insurer in return for a payment of a premium. Therefore, it may be useful for the State to promote this form of voluntary insurance by helping to define the most typical package of benefits that individuals would want to cover, assessing the genuine likelihood of needing specific services, and establishing regulatory conditions that would guarantee that benefit payments would be available once premiums had been paid, should the insured person become disabled and need the help promised by the policy.

3. The typical LTC insurance policy is deficient in one or more of the following ways:

- Offering excessive coverage for "front-end" or low-level disability assistance;
- No appreciable coverage for community-based care;
- No anti-lapse protection;
- No adjustment for inflation in paying benefits, resulting in inadequate payments to providers and diminished services; and
- Inadequate regulatory scheme regarding insurance reserves.

4. Consumer groups, notably retiree organizations and labor groups, are interested in LTC insurance coverage that falls within a range that their members feel are affordable. A number of employee organizations have put serious thought and effort into finding such insurance packages, often with only limited success -- the packages were often too expensive, or failed to provide protection in the long run.

5. A state-sponsored public trust fund is financially imprudent at this time due to the State's economic condition. The State should be cautious about taking on added financial exposure. The JLC received numerous questions about the state-sponsored public trust fund and financing plan proposed by Dr. Nitz, first unveiled at a JLC meeting on August 3, 1998, which was before the JLC was aware of HMSA's plan to offer an LTC policy that may meet or closely meet the JLTC criteria and specifications. More questions were raised at the public briefings.

The general public reaction to Dr. Nitz's proposed plan at the public briefings was in support for the plan and commendation for the JLC's efforts, but with recurrent reservations about the affordability of premiums, possible disqualification for some pre-existing conditions, and being too little and too late for senior citizens of the present. It was explained that a non-mandatory, premium-based financing system

cannot have comparable benefits to a universal, mandatory, tax-based system. A tax-based system is able to spread the risk more evenly over a larger population and can accumulate larger reserves over a period of time. However, a mandatory tax is not feasible at the present.

6. HMSA is preparing to offer, subject to regulatory approval, an insurance policy for LTC that is reportedly very similar to the JLC proposal. Furthermore, HMSA reportedly is using the same administrator on the mainland (the best in the country, according to Dr. Nitz) that the JLC would have recommended the State to use, thereby making that administrator unavailable to the State. The JLC was informed that HMSA plans to begin marketing its LTC policy in December, 1998, or January, 1999.

A readily available mass market for HMSA's LTC policy would be the HPEHF, but it is as yet uncertain whether the HPEHF will select HMSA or any other LTC carrier.

7. There are three alternatives for a proposed plan:

- Relying upon private sector LTC insurers to market policies, which could be facilitated by requiring employers to offer a LTC policy to their employees and by enacting tax incentives for employers and employees, and others who purchase a LTC policy; or
- Developing a state-sponsored plan by establishing a public trust fund to underwrite or market LTC policies; or
- Using a state-created entity such as the Hawaii Employers' Mutual Insurance Company to underwrite and to market LTC policies.

Although the first alternative can be implemented immediately because the private insurance market is far ahead of the State in providing for LTC services, the second and third alternatives could serve to cover government as well as non-government employees and would provide a more equitable and efficient manner of providing universal LTC.

8. The need for nursing home care remains unmitigated in spite of home- and community-based care. Most people at some time in their aging will face the prospect of entering a nursing home. The attendant cost of nursing home care is prohibitive for most people. This causes a great deal of worry and anxiety for elders and their families, not just those over fifty years old. A universal LTC program would be incomplete if it did not accommodate nursing home care.

Recommendations

1. The JLC believes that the proposal to increase the availability of private LTC insurance policies has significant potential.

This proposal however, has drawbacks -- notably that the State loses much control over structuring coverages and underwriting standards for a universal LTC program. Accordingly, the JLC recommends that legislation be introduced in the 1999 legislative session to:

- Amend existing long-term care insurance statutes to provide for desirable minimum underwriting requirements consistent with a universal, cost-effective, and voluntary LTC insurance program;
- Require large groups, such as employers and associations, to offer LTC insurance coverage to employees and members at no cost to the employer or association; and
- Provide tax incentives for employers to offer LTC insurance to employees and for employees and self-employed to purchase LTC insurance.

2. The JLC cannot, at this time, make a recommendation as to an appropriate, adequate, and affordable universal LTC financing plan since there has not been a comprehensive actuarial LTC study. Accordingly, the JLC recommends that the Office of the Governor commission immediately a comprehensive actuarial study of the entire population of the State. The actuarial study should analyze the three JLC alternatives, recommend an alternative, and address whether the plan under the recommended alternative should:

- Be voluntary or mandatory;
- Be administered through private insurance, a state fund, or a state entity as a subsidiary of HEMIC;
- Cover public and private employees, retirees, and other members of the general public;
- Be premium or tax-based funding; and
- Include types of care, such as home- and community-based care, adult residential care homes, assisted living facilities, nursing home care, hospice care, and respite care. (Due to the State's poor economy at this time, the JLC recommends that the State consider including nursing home care as a mandated benefit in any LTC plan, perhaps in three to four years.)

The JLC recommends that the Governor expend the \$150,000 budget appropriation to the Hawaii Public Employees Health Fund for fiscal year 1998-1999 (BUF 142, Seq. 95) for an actuarial study on LTC and any available funds under the jurisdiction of the Insurance Division to conduct a comprehensive actuarial LTC study. If the Governor does not expend these funds, the JLC recommends that an appropriation of \$300,000 be made to the legislature for this purpose.

3. The Insurance Commissioner recommends, and the JLC concurs:

- That an appropriation be made to enable the Commissioner to hire or contract with a qualified LTC actuary and to hire more staff to adequately review LTC insurance filings; and
- That all LTC insurers, including HMSA, be placed under the Hawaii Life and Disability Insurance Guarantee Association for purposes of offering some form of protection to consumers in case of insolvency.

JLC Co-Chairs Senator Suzanne Chun Oakland and Representative Dennis Arakaki, and other members of the JLC will jointly sponsor the introduction of two bills incorporating these ideas for consideration by the 1999 legislative session.

Respectfully submitted,

MEMBERS ON THE PART OF THE
SENATE

MEMBERS ON THE PART OF THE
HOUSE

/s/ Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Co-Chair

/s/ Dennis Arakaki
DENNIS ARAKAKI, Co-Chair

/s/ Les Ihara, Jr.
LES IHARA, JR., Member

/s/ Marcus Oshiro
MARCUS OSHIRO, Member

/s/ Andrew Levin
ANDREW LEVIN, Member

/s/ Paul Whalen
PAUL WHALEN, Member

/s/ Sam Slom
SAM SLOM, Member

/s/ Nobu Yonamine
NOBU YONAMINE, Member

ATTACHMENT "B"

MISC. COMM. NO. 10

Honolulu, Hawaii
Jan 26 1999 , 1998RE: H.C.R. No. 225
H.D. 1
S.D. 1

Honorable Calvin K. Y. Say
Speaker, House of Representatives
Twentieth State Legislature
Regular Session of 1999
State of Hawaii

Honorable Norman Mizuguchi
President of the Senate
Twentieth State Legislature
Regular Session of 1999
State of Hawaii

Sirs:

Your Joint Legislative Committee on Long-Term Care Financing, created pursuant to Act 339, Session Laws of Hawaii, 1997, and having been directed to report to the Legislature by H.C.R. No. 225, H.D. 1, S.D. 1 (1998) entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS STRATEGIES FOR ORGANIZING THE VARIOUS FORMS OF RESIDENTIAL CARE PROVIDERS,"

begs leave to report as follows:

PART I. BACKGROUND**Introduction**

Hawaii's citizens are faced with an overwhelming financial burden of caring for their elderly and disabled residents. The elderly and disabled population needing long-term care (LTC) will continue to grow as the population ages. The cost of nursing home care is currently the highest of all types of long-term care and is continuing to escalate. Consequently, long-term residential care has become a realistic and cost-effective alternative.

Unfortunately, the organization and regulation of residential care facilities in Hawaii are fragmented. This tends to reduce cost-effectiveness and hamper operational effectiveness of the delivery of residential care services. There is a lack of overall direction and guidance at the state level regarding the delivery of long-term care to Hawaii's residents. Specifically, there is no vision of how residential care facilities and services may be used to alleviate the burden of long-term care in the State. This is reflected in the fragmented structure of regulation for a plethora of residential care category types in both the Hawaii Revised Statutes and the Hawaii Administrative Rules.

There is, therefore, a compelling need to clearly define how residential care facilities and their services can be used. To facilitate this vision, there is a corollary need to re-examine how these facilities are organized for regulatory purposes. Based on a more rational, consolidated, and equitable reorganization of the residential care system, practical operational improvements can then be made to benefit consumers of the system.

Legislative Mandate

Your Joint Legislative Committee (JLC) was created by Act 339, 1997. The JLC members were: Senator Suzanne Chun Oakland and Representative Dennis Arakaki, Co-Chairs; former Senator Roslyn Baker, Senators Andrew Levin, and Sam Slom; and Representatives Marcus Oshiro, Paul Whalen, and Noboru Yonamine.

H.C.R. No. 225, H.D. 1, S.D. 1 (1998), directed the JLC to create a Subcommittee to study long-term care residential facilities in Hawaii. H.C.R. No. 225 also directed the Subcommittee to confer with the Healthcare Association of Hawaii, the American Association of Retired Persons, the Departments of Human Services and Health, the Home Care Association of Hawaii, the Hawaii Long-Term Care Association, the State Planning Council on Developmental Disabilities, the Hawaii Nurses Association, the United Home Care Providers of Hawaii, and the Executive Office on Aging. The Subcommittee members are: Co-Chairs Senator Chun Oakland and Representative Arakaki; Violy Bernadino, Ruth Dias, Maria Etrata, Nancy McGulkin, Kookie Moon-Ng, Bob Ogawa, Roy Pilien, Rose Ann Poyzer, Marilyn Seely, Pat Snyder, Stephan Torak, Joan White, and Helen Yoshimi.

H.C.R. No. 225 also directed the Legislative Reference Bureau to provide research information to the JLC and to assist in drafting the final report.

Approach of the JLC's Subcommittee

The Subcommittee met as a whole on July 22, August 10, August 24, September 8, September 21, October 5, October 19, November 16, and November 24, 1998. In addition, the Subcommittee also met in four separate working subgroups numerous times over the course of the legislative interim.

The Subcommittee conferred with all of the organizations as directed by H.C.R. 225, either through direct membership on the Subcommittee or through participation as additional resource persons invited to attend Subcommittee meetings. These participants included: Espe Cadavona, Yvonne de Luna, Annie Fernandez, Cullen Hayashida, Richard Hioki, Bryan Kagihara, Lita Posis, Angel Ramos, Mildred Ramsey, Kevin Sypniewski, Garrett Toguchi, and Will Young. In addition, information and input were obtained from representatives of the following organizations: Alliance of Residential Care Administrators, Big Island Adult Residential Care Homes, and United Home of Group Operators.

The Subcommittee Co-Chairs were aware that another resolution, namely H.C.R. No. 139 (1998), requested holding a Governor's Conference on the Future Role of the Residential Care Home Industry. Accordingly, the Co-Chairs decided not to mount a duplicative and parallel effort but, instead, build on the work of the Conference. The Co-Chairs believe that this approach is more logical and efficient while appropriately addressing the issues raised in H.C.R. No. 225. Consequently, the Subcommittee examined the three main recommendations that emerged from the Governor's Conference. These recommendations were to:

- (1) Use a uniform assessment tool across facility types;
- (2) Implement a single entry point concept and process for all non-institutional residential care facilities in Hawaii; and
- (3) Improve the regulatory environment to reduce fragmentation in the residential care home industry by consolidating and simplifying organizational categories of facilities, increasing

uniformity of regulations across facility types, and promoting parity of provider reimbursement for similar services regardless of facility type.

The Subcommittee directed its attention to an extensive examination of these three issues and makes the following findings.

PART II. SUBSTANTIVE ISSUES

Guiding Principles: The Subcommittee adopted the following guiding principles in dealing with the three issues named above:

- Achieve and maintain high standards of services for clients.
- Make residential care a consumer-friendly system.
- Streamline and improve by simplifying access to the system.
- Reduce fragmentation and overlap in services.
- Increase uniformity of regulation and reimbursement across facility types.
- Promote reimbursement parity: pay providers on the basis of cost of services and not facility type or site of service delivery.

1. Uniform Assessment Tool

The Problem: The Subcommittee recognized that not all long-term care residents have the same needs or require the same level of care. The current system is fragmented. Different types of residential care service providers offer different, similar, and sometimes overlapping services. To comply with different state laws and funding source mandates, agencies and service providers are forced to use separate assessment tools for their residents. In other words, residents are often assessed more than once by more than one agency or service provider in order to receive the appropriate services and as their needs change over time. Moreover, data elements that are not standardized may not be easily shared between agencies or providers.

This inefficient redundancy and lack of uniformity can be at least partially alleviated if patient assessment can be done more uniformly. Data that are collected must be standardized so that they can be shared without modification by agencies and providers. Agencies and providers need to agree on a minimum data set and to standardize all data elements in a common assessment tool. Supplementing this approach, a re-organization of categories or types of service providers (see "3. Regulatory Environment" below) should also help to reduce differences and enhance uniform collection of data.

The Subcommittee met as a whole and in a working subgroup on this subject and noted that the Minimum Data Set (MDS) is already federally required as the assessment tool for skilled nursing facility- (SNF) and intermediate care facility-level (ICF) residents. Because of its comprehensive nature, the MDS contains information for service planning. In Hawaii, Department of Human Services Forms 1147 and 1150 are intended for use as financial eligibility determination tools and as indicators for service planning and placements. The Subcommittee also discussed and ruled out several other systems, including a proprietary client-tracking software system used by the Executive Office on Aging, which were all found to be inappropriate for the purpose.

Finding: After much discussion and the efforts of a working subgroup, the Subcommittee finds that:

- The use of a uniform assessment tool or tools conforms with and acts to further the goals as enumerated in the guiding principles stated previously.
- A uniform assessment tool that contains standardized data collected from clients of residential care facilities in Hawaii will help to reduce system fragmentation, increase efficiency and effectiveness of the system, enhance quality of care for residents, and help to make the system more consumer-friendly.

Recommendations: The Subcommittee recommends that:

- A much scaled-down 6-page version of the Medicaid waiver program's social and health assessment forms, fashioned by the working subgroup, should be used as an assessment tool in all residential care settings above the adult residential care home level. However, the name of this assessment tool should not be in any way associated with, or be reminiscent of, the MDS tool.
- The 1-page form currently being used by the Department of Health termed the "Level of Care Evaluation" should be updated to assure placement of only non-nursing facility level clients, and should be used for all adult residential care homes (ARCH).
- The data elements in the scaled-down tool and the 1-page ARCH tool should be standardized to reduce the need to obtain identical data later on, and to allow different providers to access and share standard information. The data elements should be consistent with the 2-page information and referral screening form, administered at the time of entry, termed the "Coordinated Screening Form (SEPC)," that is recommended for use in the single entry point process (see 2. "Single Entry Point" below). Only one modification needs to be made to the 2-page form by adding the item "attending physician."
- The two tools are meant to elicit basic data that can be shared but does not preclude any agency or provider from obtaining any additional information, as required.

2. Single Entry Point: Concept and Implementation

The Problem: Individuals who potentially require residential long-term care generally do not know how to get care. Many know they need help but cannot articulate their needs in terms of the services that are available in the community. Many do not know what services are available. If they do, they may not know whether they are eligible to receive care, where to get it, and who to ask about it. Hawaii's citizens cannot be expected to be familiar with the confusing jargon, departmental and agency jurisdictional distinctions, or the intricacies and idiosyncrasies of funding requirements that affect their eligibility for services. These intricacies sometimes confuse even those in the industry. What is needed is a simple, uniform, and highly professional way to allow anyone who needs care to easily and quickly access the care appropriate to that person's individual circumstances.

Discussion over the past several years has refined the concept of a single entry point (SEP) for long-term care in general. However, the scope of the Subcommittee's work is limited to residential care. Nevertheless, the concept remains the same. An SEP is meant to serve as a simple and uniform, yet sophisticated and comprehensive information and referral system to allow people easy access into the system. An SEP is similar to a one-stop triage system. An individual is given an initial screening to determine the person's needs so that a quick and accurate referral can be made to the appropriate agency or service provider.

The Subcommittee met as a whole and in a working subgroup on the SEP concept and clarified that the uniform, universal "assessment" done at the time of entry into the system via the SEP is actually an initial information and referral "screening" to determine an appropriate referral. After entry, the accepting agency or service provider uses a uniform universal assessment tool (see "1. Uniform Assessment Tool" above) to develop an appropriate individual service plan. Depending on requirements agencies or providers are mandated to comply with, or on client's individual needs, the agency or service provider may refine a service plan by using further specialized assessments or interviews.

The Subcommittee examined the SEP model proposed by the coordinating committee created by Act 301, Session Laws of Hawaii, 1996, that mandated the Department of Human Services to design and develop a single entry point system for long-term care. That SEP model proposed using the four county area agencies on aging as part of the Executive Office on Aging's Aging Network. It also proposed to contract with ASK-2000 to enhance and update relevant long-term care data including service providers and types of services by provider.

Findings: After much discussion and the efforts of a working subgroup, the Subcommittee finds that:

- The institution of a single entry point conforms with and acts to further the goals as enumerated in the guiding principles stated previously.
- An SEP process for clients requiring long-term residential care should be simple, quick, professional, uniform, consumer-friendly, and accurate.
- The SEP system should provide an information and referral screening function for potential clients of long-term residential care.
- The SEP system should serve the non-elderly (those under 60 years of age), the elderly, and disabled persons of all ages.
- The SEP process should include the conduct of a uniform initial screening for all potential clients at the time of entry (see 1. "Uniform Assessment Tool", above, regarding the "Coordinated Screening Form (SEPC)").
- The SEP system should be implemented by exploiting existing resources to reduce duplication of effort. This should be done by:
 - Financially augmenting the intake and assessment services for persons aged 60 and older that are already being performed by the Executive Office on Aging (EOA).
 - Contracting with ASK-2000, an information and referral organization, to provide initial information and referral screening for the non-elderly under age 60.
- The SEP should not be expanded into a comprehensive client-tracking system which, by its nature, focuses on data after a client is already in the system.
- An SEP system needs to educate the public and help especially those with long-term care needs to become aware of the entire range of long-term care options.

Recommendations: The Subcommittee recommends that:

- The single entry point system should provide simple, quick, uniform, and consumer-friendly access to the system through professional and accurate information and referral screening for potential clients of long-term residential care services.
- The State should establish a single entry point system by funding the Executive Office on Aging (EOA) to augment its Aging Network to perform information and referral initial screening for all persons aged 60 and older. As part of its funded task, the EOA is to expand its screening and referral program to coordinate similar services to be provided by ASK-2000, or other providers as appropriate, for clients under age 60. Development of this system should begin in July, 1999.
- The State should provide similar information and referral initial screening for all persons under age 60 by funding the EOA to subcontract with ASK-2000, a proven local information and referral organization, or other providers, as appropriate. Development of this part of the system should begin in July, 1999.
- Funding for the entire EOA-operated SEP system should include one-time start-up as well as annual operating costs.

3. Regulatory Environment: Overall Vision and Consolidation

The Problem: The elderly and disabled populations in Hawaii are rapidly growing even as the State's resources to meet the long-term needs of these individuals are dwindling. Institutional nursing home care is the costliest. Yet, many people do not need to be institutionalized but can make use of less expensive alternatives such as residential care services. However, several obstacles prevent maximal use of these residential options. First, most people are not aware of the full range of care options. Second, it is difficult to access the system. A single entry point system and the use of universal assessment tools in the previous two sections help to address these two problems. Third, the fragmented structure of residential care in Hawaii and its sheer complexity hamper the efficient and effective delivery of residential care services.

There is no overall unifying framework for the various types of residential care facility types. The following facility types are currently defined, regulated, and authorized under different statutes, a situation

that creates confusion even for those in the industry and that gives rise to disparities in provider reimbursement for similar services:

1. Types I and II Adult Residential Care Homes (ARCH):
 - Defined in §321-15.1 Hawaii Revised Statutes.
 - Regulated by Department of Health in §321-15.6, HRS.
 - Rate of payment authorized by Department of Human Services in : §346-53, HRS.
 - (Same as Type I ARCH.)
2. Developmental Disabilities Domiciliary Homes:
 - Not specifically defined in HRS.
 - Regulated by Department of Health in §321-15.9, HRS.
 - Rate of payment authorized by Department of Health in §321-15.9, HRS, but based on payments authorized by Department of Human Services in §346-53, HRS.
3. Adult Foster Homes (for developmentally disabled):
 - Defined in §321-11.2, HRS.
 - Regulated by Department of Health in §321-11.2, HRS.
 - Rate of payment authorized by Department of Health in §321-11.2, HRS, but based on payments authorized by the Department of Human Services in §346-53, HRS.
4. Adult Foster Homes(for elderly):
 - Not specifically defined, regulated, or authorized in HRS but operate as "adult waiver foster homes" under Department of Human Services rules under broad HRS authorization for "duties generally" in §346-14, HRS.
5. ICF-MR Homes:
 - Not specifically regulated in HRS except that in §333F-2(c)(9), HRS, the Department of Health is required to provide "community residential alternatives for persons with developmental disabilities or mental retardation, including group homes and homes meeting ICF/MR standards."
6. Maluhia Waitlist Project:
 - Authorized by Act 165, Session Laws of Hawaii, 1994 (but will sunset on 6/30/99 pursuant to Act 341, SLH 1997).
7. Extended Care ARCHs (Types I and II):
 - Defined and regulated by Department of Health in §323D-2, HRS.
 - Further defined as "expanded adult residential care home" in §321-15.1, HRS.
 - Regulated as "expanded adult residential care home" in §321-15.61 and §321-15.62, HRS.
 - Rate of payment authorized by Department of Human Services in §346-53 and §346-53.4, HRS.

H.C.R. No. 225 inappropriately cited several "facility types." First, the Subcommittee specifically excluded special treatment facilities from the scope of its report because of the short-term nature of services provided in this type of facility. Second, "respite home" is not a facility category type and has no authorization in the statutes although "respite care" can be provided in existing facility types. Third,

"supportive living is a concept and not a facility type nor a specific package of services. Finally, "assisted living facilities" are only defined in the statutes but are not specifically authorized or regulated. However, as of the date of this report, rules are currently being proposed for adoption to regulate assisted living facilities and have reached the public hearing stage.

The Subcommittee met as a whole and in a working subgroup to examine ways to streamline and consolidate the structure of the residential care industry in Hawaii. Input was sought and received from the industry. Discussion focused on consolidating the various facility types to improve efficiency and to promote parity of reimbursement for the type of services provided regardless of the facility type in which the services are provided.

Findings: After much discussion and the efforts of a working subgroup, the Subcommittee finds that:

- Re-organizing the structure of the residential long-term care industry in Hawaii to streamline and consolidate facility types to provide more uniform regulation and to promote parity of reimbursement, conforms with and acts to further the goals as enumerated in the guiding principles stated previously.
- Consolidation and streamlining acts to improve efficiency and effectiveness of service delivery, improve access to the system, encourage maintenance of high standards of service quality by facilitating system monitoring, and promotes parity of reimbursement for services provided regardless of facility type.

Recommendations: The Subcommittee recommends that:

- Long-term residential care facility types in Hawaii should be statutorily re-organized by consolidating facility types to the extent practical and should be regulated in a more streamlined and uniform manner. The statutes should clearly state the intent to consolidate and to provide a unified framework for all long-term residential care in the State.
- All residential care facilities should be placed in three categories:
 - (1) Basic residential care facilities
 - Adult residential care facilities, Type I and Type II.
 - Developmental disabilities domiciliary homes.
 - Adult foster homes for the developmentally disabled.
 - (2) Expanded (ICF/SNF-level) residential care facilities:
 - Expanded adult residential care homes (re-named from "extended care adult residential homes"), Type I and Type II.
 - "Adult foster waiver homes" (informally referred to in the past as "adult foster homes for the elderly").
 - Developmental disabilities domiciliary homes (ICF/SNF-level).
 - Adult foster homes for the developmentally disabled (ICF/SNF-level).
 - (3) Specialized residential care facilities:
 - ICF-MR homes.
- After an appropriate transition period, all residential care facilities for adults must be licensed, to be required by statute.
- After an appropriate transition period, all care providers providing care in residential care facilities for adults in the State must be licensed, to be required by statute.

- The Department of Health should be the single department responsible for all statutory licensing. However, additional staffing must be provided to accommodate the increased workload.
- Statutes that authorize and regulate these facilities should:
 - Impose uniform requirements for all facility types within each of the three residential care categories.
 - Use uniform terminology and definitions across all three residential care categories.
 - Establish specific requirements for each specific facility type within a residential care category, if necessary, to comply with federal and other requirements, while maintaining quality of care for residents.
 - Mandate the Department of Health to adopt rules to implement the re-organization.
 - Include a provision to respect the resident's right of self-determination about choosing where to live.
 - Include a provision to respect the provider's right to not accept a potential resident based on the provider's belief that the provider is not qualified to provide the required adequate and appropriate care.
- The State, through its departments, including, but not limited to the Departments of Labor and Industrial Relations, Human Services, and Health, should work with private sector residential care organizations to educate and train all residential care providers to improve the quality of residential care in the State.
- Parity of reimbursement for residential care should be promoted. Reimbursement for residential care services should be rational and tied to the type of service provided to the resident, regardless of facility type or residential care category.
 - To provide the foundation upon which to base parity of reimbursement, the Department of Human Services, with the assistance of the Department of Health and the residential care industry, should first comprehensively review and categorize all residential care services that are provided in the State and determine existing reimbursement rates for these services.
- To encourage aging in place, subject to the resident's right to self-determination and the provider's right of choice to not accept a potential resident, if a provider lacks the ability to meet the resident's needs, the provider should obtain training to upgrade the provider's skills to meet licensing and training requirements.

Your Joint Legislative Committee has reviewed and approved the report of the subcommittee, as presented above. Accordingly, the JLC recommends that legislation be introduced in the 1999 legislative session to implement the recommendations outlined in the three sections above. Co-Chairs Senator Suzanne Chun Oakland and Representative Dennis Arakaki, and other members of the JLC will jointly sponsor the necessary legislation.

With the filing of this report, the business of the Subcommittee created to study long-term care residential facilities in Hawaii is completed.

Respectfully submitted,

MEMBERS ON THE PART OF THE
SENATE

MEMBERS ON THE PART OF THE
HOUSE

/s/ Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Co-Chair

/s/ Dennis Arakaki
DENNIS ARAKAKI, Co-Chair

/s/ Andrew Levin
ANDREW LEVIN, Member

/s/ Marcus Oshiro
MARCUS OSHIRO, Member

/s/ Sam Slom
SAM SLOM, Member

/s/ Paul Whalen
PAUL WHALEN, Member

/s/ Les Ihara, Jr.
LES IHARA, JR., Member

/s/ Noboru Yonamine
NOBORU YONAMINE, Member

SEVENTH DAY

Thursday, January 28, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Mark Nelson, The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator M. Ige who was excused.

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

At this time, Senator Tam introduced Faye Chou F.P. Shei, 1998's Model Chinese Mother of the Year, and Dr. Joseph Wah Chow Young, 1998's Model Chinese Father of the Year. Mrs. Shei was accompanied by her husband, Tien Tsen, and Dr. Young was accompanied by his wife, Barbara. Also accompanying the honorees was Ernest Loo, President of the United Chinese Society.

At 11:49 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.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 131, submitting for consideration and consent, the nomination of REYNALDO D. GRAULTY to the office of Judge, 17th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, 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 Tuesday, January 26, 1999, and Wednesday, January 27, 1999:

Senate Bill	Referred to:	No. 1233	Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1224	Committee on Judiciary	No. 1234	Committee on Commerce and Consumer Protection
No. 1225	Committee on Ways and Means	No. 1235	Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1226	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 1236	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1227	Committee on Ways and Means, then to the Committee on Judiciary	No. 1237	Committee on Ways and Means
No. 1228	Committee on Judiciary	No. 1238	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 1229	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1239	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1230	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1240	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1231	Committee on Health and Human Services, then to the Committee on Labor and Environment	No. 1241	Committee on Ways and Means
No. 1232	Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1242	Committee on Ways and Means
		No. 1243	Committee on Labor and Environment, then to the Committee on Ways and Means
		No. 1244	Committee on Education and Technology, then to the Committee on Ways and Means
		No. 1245	Committee on Ways and Means
		No. 1246	Committee on Education and Technology, then to the Committee on Ways and Means
		No. 1247	Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
		No. 1248	Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
		No. 1249	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
		No. 1250	Committee on Education and Technology, then to the Committee on Ways and Means
		No. 1251	Committee on Education and Technology, then to the Committee on Ways and Means
		No. 1252	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
		No. 1253	Committee on Health and Human Services, then to the Committee on Ways and Means
		No. 1254	Committee on Judiciary
		No. 1255	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1256	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1281	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1257	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1282	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1258	Committee on Economic Development, then to the Committee on Ways and Means	No. 1283	Committee on Ways and Means
No. 1259	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1284	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1260	Committee on Commerce and Consumer Protection	No. 1285	Committee on Ways and Means, then to the Committee on Judiciary
No. 1261	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1286	Committee on Ways and Means
No. 1262	Committee on Commerce and Consumer Protection	No. 1287	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1263	Committee on Commerce and Consumer Protection	No. 1288	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1264	Committee on Judiciary	No. 1289	Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1265	Committee on Judiciary, then to the Committee on Ways and Means	No. 1290	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1266	Committee on Judiciary	No. 1291	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1267	Committee on Judiciary, then to the Committee on Ways and Means	No. 1292	Committee on Commerce and Consumer Protection, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1269	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1294	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1270	Committee on Education and Technology	No. 1295	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1271	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1296	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1272	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1297	Committee on Judiciary, then to the Committee on Ways and Means
No. 1273	Committee on Education and Technology, then to the Committee on Judiciary	No. 1298	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1274	Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1299	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1275	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 1300	Committee on Ways and Means
No. 1276	Committee on Education and Technology	No. 1301	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1277	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1302	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1278	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1303	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1279	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1304	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1280	Committee on Commerce and Consumer Protection	No. 1305	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 1306	Committee on Commerce and Consumer Protection	No. 1332	Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection
No. 1307	Committee on Education and Technology	No. 1333	Jointly to the Committee on Labor and Environment and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1308	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 1334	Committee on Ways and Means
No. 1309	Committee on Judiciary, then to the Committee on Ways and Means	No. 1335	Committee on Ways and Means
No. 1310	Committee on Ways and Means, then to the Committee on Judiciary	No. 1336	Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1311	Committee on Labor and Environment	No. 1337	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1312	Committee on Judiciary, then to the Committee on Ways and Means	No. 1338	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1313	Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1339	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1314	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1340	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1315	Committee on Judiciary	No. 1341	Committee on Labor and Environment
No. 1316	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1342	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1317	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1343	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1318	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1344	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1319	Committee on Education and Technology	No. 1345	Jointly to the Committee on Judiciary and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1320	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 1346	Committee on Judiciary, then to the Committee on Ways and Means
No. 1321	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs	No. 1347	Jointly to the Committee on Judiciary and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1322	Committee on Economic Development, then to the Committee on Ways and Means	No. 1348	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. 1323	Committee on Economic Development, then to the Committee on Ways and Means	No. 1349	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. 1324	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. 1350	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
No. 1325	Committee on Ways and Means	No. 1351	Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 1326	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1352	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1327	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1353	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1328	Committee on Government Operations and Housing, then to the Committee on Ways and Means		
No. 1329	Committee on Health and Human Services, then to the Committee on Ways and Means		
No. 1330	Committee on Health and Human Services, then to the Committee on Ways and Means		
No. 1331	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary		

- No. 1396 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 1397 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1398 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 1399 Committee on Judiciary
- No. 1400 Committee on Judiciary
- No. 1401 Committee on Judiciary
- No. 1402 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1403 Committee on Transportation and Intergovernmental Affairs
- No. 1404 Committee on Labor and Environment
- No. 1405 Committee on Labor and Environment
- No. 1406 Jointly to the Committee on Labor and Environment and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1407 Committee on Ways and Means
- No. 1408 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1409 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1410 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1411 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1412 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1413 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1414 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1415 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1416 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1417 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1418 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1419 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1420 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1421 Committee on Judiciary
- No. 1422 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1423 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1424 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1425 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1426 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1427 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1428 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1429 Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection
- No. 1430 Committee on Transportation and Intergovernmental Affairs
- No. 1431 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1432 Committee on Ways and Means
- No. 1433 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1434 Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 1435 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 1436 Committee on Labor and Environment
- No. 1437 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1438 Jointly to the Committee on Government Operations and Housing, the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1439 Jointly to the Committee on Government Operations and Housing, the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1440 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1441 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1442 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1443 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1444 Jointly to the Committee on Transportation and Intergovernmental Affairs and the

Committee on Labor and Environment, then to the Committee on Ways and Means	No. 1469	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	
No. 1445	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1470	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1446	Committee on Labor and Environment	No. 1471	Jointly to the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1447	Committee on Judiciary	No. 1472	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 1448	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 1473	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1449	Committee on Commerce and Consumer Protection	No. 1474	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1450	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development	No. 1475	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 1451	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1476	Committee on Judiciary
No. 1452	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1477	Committee on Economic Development, then to the Committee on Ways and Means
No. 1453	Committee on Education and Technology	No. 1478	Committee on Economic Development
No. 1454	Committee on Economic Development, then to the Committee on Ways and Means	No. 1479	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1455	Committee on Government Operations and Housing	No. 1480	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
No. 1456	Committee on Economic Development, then to the Committee on Ways and Means	No. 1481	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1457	Committee on Economic Development, then to the Committee on Ways and Means	No. 1482	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1458	Committee on Commerce and Consumer Protection	No. 1483	Committee on Judiciary, then to the Committee on Ways and Means
No. 1459	Committee on Commerce and Consumer Protection	No. 1484	Jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1460	Committee on Commerce and Consumer Protection	No. 1485	Committee on Judiciary
No. 1461	Committee on Commerce and Consumer Protection	No. 1486	Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 1462	Committee on Judiciary, then to the Committee on Ways and Means	No. 1487	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1463	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 1488	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1464	Committee on Labor and Environment, then to the Committee on Government Operations and Housing	No. 1489	Committee on Economic Development, then to the Committee on Ways and Means
No. 1465	Committee on Education and Technology, then to the Committee on Ways and Means	No. 1490	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1466	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1491	Committee on Ways and Means
No. 1467	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1492	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1468	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means		

No. 1493 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs

No. 1494 Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1495 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 1496 Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1497 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1498 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 1499 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1500 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1501 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1502 Committee on Judiciary

No. 1503 Committee on Economic Development, then to the Committee on Ways and Means

No. 1504 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1505 Committee on Ways and Means

No. 1506 Committee on Judiciary, then to the Committee on Ways and Means

No. 1507 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 1508 Committee on Ways and Means

No. 1509 Committee on Economic Development, then to the Committee on Ways and Means

No. 1510 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 1511 Committee on Judiciary, then to the Committee on Ways and Means

No. 1512 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 1513 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1514 Committee on Ways and Means

No. 1515 Committee on Judiciary

No. 1516 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1517 Committee on Commerce and Consumer Protection

No. 1518 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 1519 Committee on Government Operations and Housing, 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 Tuesday, January 26, 1999:

Senate Concurrent Resolution	Referred to:
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No. 27	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
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No. 28	Committee on Education and Technology, then to the Committee on Ways and Means
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No. 29	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary
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No. 30	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
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REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Tuesday, January 26, 1999:

Senate Resolution	Referred to:
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No. 9	Committee on Education and Technology, then to the Committee on Ways and Means
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RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
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No. 69	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
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No. 74	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
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No. 75	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
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No. 76	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
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No. 81	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
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No. 173	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
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- No. 174 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 195 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 203 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 236 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 364 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 480 Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
- No. 483 Jointly to the Committee on Labor and Environment and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 492 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 505 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 531 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 541 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 547 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 582 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 583 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 584 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 585 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 587 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 611 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 641 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 643 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 644 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 645 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 662 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 701 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 707 Committee on Economic Development, then to the Committee on Judiciary
- No. 736 Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection
- No. 748 Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 778 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 780 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 808 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
- No. 828 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 937 Committee on Judiciary
- No. 953 Jointly to the Committee on Labor and Environment, the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1184 Committee on Education and Technology, then to the Committee on Ways and Means

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege.

"Mr. President, after 20 years of being in this Legislature, I called my third press conference today. It was a great party and I must say that Robbie Dingeman from the Advertiser did show. I think the rest of the news media might have been busy. Also, I think with the economic problems that we're having they have cut back on having any of the press around, regardless if it's the printed press or if it's the television people. But if they talk about a two-party system, they're full of it.

"We came up with what I believe was a fair package of what the people wanted. I sent out a survey and got over 700 surveys back. And I think that the response that we got was part of what we are looking at, Mr. President. And now the six major points of the Minority package -- drug testing, streamlining of government, regulatory reforms, education -- are things that the people are interested in. And if the press was not interested, that's tough, because the people are.

"And I would like my colleagues to know, Mr. President, that after 20 years I don't call press conferences for the hell of it . . . never have. And they've always used the excuse that they're busy. So I think the economy has hurt them and I really feel sorry for them.

"Thank you very much, Mr. President, and I think the Minority Leader may have something to say on that. Thank you."

Senator Slom then rose on a point of personal privilege and said:

"Mr. President, I would just like to add that oftentimes we get calls from our constituents and they say, 'How come no one is talking about that? How come no one says anything about that? How come nobody introduces any bills like that?' And we do, and the media seem to be very selective in terms of what they cover.

"Also, this year people are saying, 'Well, gee, there's no reason for a minority package because the Governor has already said everything that you've been saying for 15, 20 years now.' The Senate President has so very clearly indicated his staunch support for small business and economic reform, and so has the Speaker of the House. So why should there be a package from the Minority? Well let me tell you -- because we have been at it for a long time. We're very happy that you have adopted many of our proposals. But you know what? We're the ones that put our names and our reputations, personally, in advocating these measures. We're the ones that really believe in them. We're the ones that go to the mat to make sure that they get enacted.

"And this year, since it's not a legislative election year, a number of individuals are finding it harder to get specific positions from their legislators. Surveys that are published do not list the names of many of our colleagues nor their positions, as well. So I think this year, more than ever, it's important to have not necessarily a loyal opposition because, Mr. President, we don't want to be opposed. We want to work collaboratively. We want to work cooperatively with you. We stand ready to do that. But what we want to make sure is that there is real intent to enacting the legislation as the kind Minority Leader has said that the public wants, that the public has talked about. We've heard a lot of lip service about change. We want to make sure that there is implementation.

"So we stand ready, once again, to do this, and we hope that the media will continue to help get the word out that, in fact, there are people that are absolutely committed to making these changes.

"Thank you, Mr. President."

Senator Anderson rose again and said:

"A short point, Mr. President, if I may.

"Also, since the Minority Leader mentioned the state of the state address and we've got all of these lovely baskets of agricultural products, there wasn't one point made on ag. We have bills for ag. Agriculture is probably the third largest income group that we have. We depend on them.

"So those are the kinds of things that I believe that the media and everybody else should be looking at. How do we help this economy? What group do we back? Who deserves to be helped? Those are the kinds of things, Mr. President, that we're looking at. I'm also putting in bills for gambling, with a referendum.

"You know, if the media is not interested in what we're doing, then they should find somebody else to come down and do their job here.

"Thank you very much, Mr. President."

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills

for introduction prior to 9:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:03 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1520 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-THIRD SENATORIAL DISTRICT."

Introduced by: Senator Nakata.

No. 1521 "A BILL FOR AN ACT RELATING TO MENTORING."

Introduced by: Senator Nakata.

No. 1522 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Senator Chun.

No. 1523 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE STATE CONSTITUTION TO GIVE THE POWER TO RECLASSIFY LANDS WITHIN THE STATE ONLY TO A TEMPORARY LAND USE COMMISSION, AND THE LEGISLATURE."

Introduced by: Senator Hanabusa.

No. 1524 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 1525 "A BILL FOR AN ACT CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FIRST SENATORIAL DISTRICT."

Introduced by: Senator Hanabusa.

No. 1526 "A BILL FOR AN ACT RELATING TO SUBSISTENCE FISHING."

Introduced by: Senator Buen.

No. 1527 "A BILL FOR AN ACT RELATING TO TRAFFIC FINES."

Introduced by: Senator Iwase.

No. 1528 "A BILL FOR AN ACT RELATING TO CHILDREN, YOUTH, AND FAMILIES."

Introduced by: Senators Iwase, by request, Chun Oakland.

No. 1529 "A BILL FOR AN ACT RELATING TO RESIDENTIAL DETENTION OF PREARRAIGNMENT DETAINEES."

Introduced by: Senator Iwase.

No. 1530 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Iwase.

No. 1531 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Iwase.

No. 1532 "A BILL FOR AN ACT RELATING TO TAXICABS."

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

No. 1533 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LEGISLATIVE CONFERENCE ON SCHOOL COMMUNITY BASED MANAGEMENT."

Introduced by: Senator Slom.

No. 1534 "A BILL FOR AN ACT RELATING TO LICENSE PLATES."

Introduced by: Senators Slom, Kawamoto, Sakamoto.

No. 1535 "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES."

Introduced by: Senator Nakata.

No. 1536 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH."

Introduced by: Senator Nakata.

No. 1537 "A BILL FOR AN ACT RELATING TO MOTORIZED VEHICLES IN FOREST RESERVES AND CONSERVATION DISTRICTS."

Introduced by: Senator Nakata.

No. 1538 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Chun.

No. 1539 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."

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

No. 1540 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 16TH SENATORIAL DISTRICT."

Introduced by: Senator Sakamoto.

No. 1541 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Senators Sakamoto, Nakata.

No. 1542 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Introduced by: Senators Sakamoto, Fukunaga, Levin.

No. 1543 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, D. Ige.

No. 1544 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Chumbley, Tanaka.

No. 1545 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Chumbley, by request.

No. 1546 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT."

Introduced by: Senator Chumbley.

No. 1547 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Senators Chun, Sakamoto, Chun Oakland.

No. 1548 "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS."

Introduced by: Senators Buen, Chumbley, Matsunaga.

No. 1549 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Matsuura.

No. 1550 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Matsuura.

No. 1551 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Matsuura.

No. 1552 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Matsuura, Sakamoto, Chun, Anderson, Buen, Bunda, Inouye, Slom.

No. 1553 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND SENATORIAL DISTRICT."

Introduced by: Senator Matsuura.

No. 1554 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Chumbley.

No. 1555 "A BILL FOR AN ACT RELATING TO ADULT EDUCATION."

Introduced by: Senator Kawamoto.

No. 1556 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Kawamoto, Iwase, Sakamoto, Anderson, Bunda, Fukunaga, Hanabusa, Nakata, Tam.

No. 1557 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senators Kawamoto, Bunda, Sakamoto.

No. 1558 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senators Kawamoto, Bunda, Hanabusa.

No. 1559 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senators Kawamoto, Bunda.

No. 1560 "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED."

Introduced by: Senator Hanabusa, by request.

No. 1561 "A BILL FOR AN ACT RELATING TO THE ALOHA SPIRIT."

Introduced by: Senator Hanabusa, by request.

No. 1562 "A BILL FOR AN ACT RELATING TO QUEST."

Introduced by: Senators Chun Oakland, Buen, Chumbley, Chun, D. Ige, Fukunaga, Hanabusa, Kanno, Levin, Matsuura, Nakata, Tam.

No. 1563 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL FULL-TIME VOCATIONAL REHABILITATION SPECIALIST POSITIONS."

Introduced by: Senators Chun Oakland, Buen, Chumbley, Chun, D. Ige, Fukunaga, Hanabusa, Kanno, Levin, Matsuura, Nakata, Tam.

No. 1564 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS."

Introduced by: Senators Chun Oakland, Buen, Chumbley, Chun, D. Ige, Fukunaga, Hanabusa, Kanno, Matsuura, Nakata, Tam.

No. 1565 "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. 1566 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Chun Oakland.

No. 1567 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS IN WEST OAHU."

Introduced by: Senator Kanno.

No. 1568 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Kanno, by request.

No. 1569 "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM."

Introduced by: Senator Kanno, by request.

No. 1570 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY."

Introduced by: Senator Kanno.

No. 1571 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senator Kanno.

No. 1572 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PARENT-COMMUNITY NETWORKING CENTERS AND PARENT-COMMUNITY

NETWORKING CENTER DISTRICT COORDINATORS FOR KAUAI AND MAUI."

Introduced by: Senator Chun.

No. 1573 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senator Ihara, by request.

No. 1574 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Ihara, by request.

No. 1575 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Senator Ihara.

No. 1576 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senator Ihara, by request.

No. 1577 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Nakata, Kanno, Kawamoto, Ihara.

No. 1578 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Senators Fukunaga, Levin.

No. 1579 "A BILL FOR AN ACT RELATING TO THE LEMON LAW."

Introduced by: Senator Taniguchi, by request.

No. 1580 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Taniguchi.

No. 1581 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Taniguchi, by request.

No. 1582 "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9-SECURED TRANSACTIONS."

Introduced by: Senator Taniguchi.

No. 1583 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senators D. Ige, Fukunaga.

No. 1584 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNSELING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator D. Ige.

No. 1585 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH SENATORIAL DISTRICT."

Introduced by: Senator D. Ige.

No. 1586 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator D. Ige.

No. 1587 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senator Matsunaga, by request.

No. 1588 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Tam, Matsunaga.

No. 1589 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES."

Introduced by: Senators Matsunaga, Kawamoto, Bunda.

No. 1590 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS OF THE NINTH SENATORIAL DISTRICT."

Introduced by: Senator Matsunaga.

No. 1591 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ALA MOANA, MAKIKI, MCCULLY, MOILILI AND WAIKIKI REGION OF HONOLULU."

Introduced by: Senators Fukunaga, Ihara, Taniguchi.

No. 1592 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Fukunaga.

No. 1593 "A BILL FOR AN ACT RELATING TO SPECIAL WASTES RECYCLING."

Introduced by: Senator Fukunaga.

No. 1594 "A BILL FOR AN ACT RELATING TO THE LEASEHOLD REDEMPTIONS."

Introduced by: Senator Fukunaga, by request.

No. 1595 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR RECYCLING."

Introduced by: Senator M. Ige.

No. 1596 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE, CONSTRUCTION, AND RENOVATION OF PASSENGER TERMINALS IN THE STATE."

Introduced by: Senator M. Ige.

No. 1597 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator M. Ige.

No. 1598 "A BILL FOR AN ACT RELATING TO THE CITIZENS YEAR 2000 FINANCIAL PROTECTION ACT."

Introduced by: Senator M. Ige.

No. 1599 "A BILL FOR AN ACT RELATING TO THE CONTROL OF ALIEN SNAKE SPECIES."

Introduced by: Senator M. Ige.

No. 1600 "A BILL FOR AN ACT RELATING TO FOREIGN TRADE ZONES."

Introduced by: Senator Slom.

No. 1601 "A BILL FOR AN ACT RELATING TO FOREIGN CAPITAL DEPOSITORIES."

Introduced by: Senator Slom.

No. 1602 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPLEMENTATION OF THE MAUI INVASIVE SPECIES COMMITTEE FY 2000 ACTION PLAN."

Introduced by: Senators Tanaka, Chumbley, Levin, Matsunaga, Buen.

No. 1603 "A BILL FOR AN ACT RELATING TO KANEOHE BAY."

Introduced by: Senator Tanaka.

No. 1604 "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY."

Introduced by: Senator Tanaka.

No. 1605 "A BILL FOR AN ACT RELATING TO LIMITED CASINO GAMING."

Introduced by: Senator Tanaka, by request.

No. 1606 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KAUAI COUNTY."

Introduced by: Senator Chun.

No. 1607 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION."

Introduced by: Senator D. Ige.

No. 1608 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Introduced by: Senators Bunda, Kawamoto.

No. 1609 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Introduced by: Senators Bunda, Kawamoto.

No. 1610 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Introduced by: Senators Bunda, Kawamoto.

No. 1611 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TWENTY-SECOND SENATORIAL DISTRICT."

Introduced by: Senator Bunda.

No. 1612 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF

CREATING A LOOKOUT AT WAIMEA BAY ON KAMEHAMEHA HIGHWAY ON THE ISLAND OF OAHU."

Introduced by: Senators Bunda, Kawamoto, Nakata.

No. 1613 "A BILL FOR AN ACT RELATING TO HUNTING AND TOURISM."

Introduced by: Senator Inouye, by request.

No. 1614 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.

No. 1615 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FOURTH SENATORIAL DISTRICT."

Introduced by: Senator Buen.

No. 1616 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."

Introduced by: Senators Buen, Matsuura.

No. 1617 "A BILL FOR AN ACT RELATING TO MAUI COMMUNITY COLLEGE."

Introduced by: Senator Buen.

No. 1618 "A BILL FOR AN ACT RELATING TO STATE GUARANTEED LENDING FOR ECONOMIC DEVELOPMENT FOR DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senator Anderson.

No. 1619 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."

Introduced by: Senator Anderson.

No. 1620 "A BILL FOR AN ACT RELATING TO LIMITED CASINO GAMING."

Introduced by: Senator Anderson.

No. 1621 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CONFERENCE ON FORESTRY INITIATIVES."

Introduced by: Senator Levin.

No. 1622 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Levin.

No. 1623 "A BILL FOR AN ACT RELATING TO EMPLOYEE LEASING COMPANIES."

Introduced by: Senators Levin, by request, Fukunaga.

No. 1624 "A BILL FOR AN ACT RELATING TO WAIMANALO."

Introduced by: Senator Levin.

No. 1625 "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES."

Introduced by: Senator Chumbley.

No. 1626 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Levin.

No. 1627 "A BILL FOR AN ACT RELATING TO THE MILK CONTROL ACT."

Introduced by: Senator Inouye, by request.

No. 1628 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE COUNTY OF HAWAII."

Introduced by: Senator Inouye.

No. 1629 "A BILL FOR AN ACT MAKING AN INTERIM APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESOURCE MANAGEMENT DIVISION."

Introduced by: Senator Inouye.

No. 1630 "A BILL FOR AN ACT RELATING TO FIREWORKS REGULATION."

Introduced by: Senator Tam.

No. 1631 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Tam.

No. 1632 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS."

Introduced by: Senator Tam.

No. 1633 "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARY OPERATIONS."

Introduced by: Senator Tam.

No. 1634 "A BILL FOR AN ACT RELATING TO THE SELECTION AND COMPENSATION OF JUDGES."

Introduced by: Senator Tam.

No. 1635 "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST."

Introduced by: Senator Anderson.

No. 1636 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION, TO REQUIRE THE LEGISLATURE TO CONVENE ON AN BIENNIAL INSTEAD OF AN ANNUAL BASIS"

Introduced by: Senator Anderson.

No. 1637 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRELIMINARY PLANNING FOR A WATER IRRIGATION PROJECT ON THE ISLAND OF HAWAII."

Introduced by: Senators Matsunaga, Levin.

No. 1638 "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS."

Introduced by: Senator Mizuguchi.

No. 1639 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL."

Introduced by: Senator Mizuguchi, by request.

No. 1640 "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. 1641 "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1642 "A BILL FOR AN ACT RELATING TO FRANCHISES."

Introduced by: Senator Mizuguchi, by request.

ADJOURNMENT

At 9:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, February 1, 1999.

EIGHTH DAY

Monday, February 1, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Hilaria Marie Dawai, St. John the Baptist Church, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 132 to 140) were read by the Clerk and were placed on file:

Gov. Msg. No. 132, dated January 15, 1999, transmitting the Department of Taxation's progress and expenditure report on the redesign of the new integrated tax information management system pursuant to Act 116, Section 125, SLH 1998.

Gov. Msg. No. 133, dated January 15, 1999, transmitting the 1998 Report on the Spouse and Child Abuse Special Account prepared by the Department of Human Services, pursuant to Act 232, Section 2, SLH 1994.

Gov. Msg. No. 134, dated January 19, 1999, transmitting a report, "Act 148, Session Laws of Hawaii 1997 Established Within the Department of Health a Pipeline Safety Committee," prepared by the Department of Health.

Gov. Msg. No. 135, dated January 20, 1999, transmitting the "Joint Preliminary Report on Highway and Roadway Maintenance and Parks Programs," prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Act 223, SLH 1998, relating to the duplication of government services.

Gov. Msg. No. 136, dated January 21, 1999, transmitting a report on the operations of the Clean Hawaii Center, prepared by the Department of Business, Economic Development and Tourism; Energy, Resources and Technology Division; Clean Hawaii Center, pursuant to Act 202, SLH 1994.

Gov. Msg. No. 137, dated January 25, 1999, transmitting the 1998 Hawaii Real Estate Commission Annual Report, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Hawaii Real Estate Commission, pursuant to Sections 467-4 and 514A-133, HRS.

Gov. Msg. No. 138, dated January 26, 1999, transmitting a report, "The National Partnerships for Reinventing Government," presented by the Hawaii Steering Committee in response to S.C.R. No. 172 (1998).

Gov. Msg. No. 139, dated January 27, 1999, transmitting a report Regarding Surrogate Health Care Decision Making, prepared by the Executive Office on Aging, Surrogate Decision Making Committee, pursuant to Act 332, SLH 1997.

Gov. Msg. No. 140, letter dated January 29, 1999, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of a bill entitled, "Making an Emergency Appropriation for Kapolei High School," which makes an appropriation in fiscal year 1999-2000 to allow the start of construction of a new high school prior to July 1, 1999.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 12 to 15) were read by the Clerk and were placed on file:

Dept. Com. No. 12, from the State Auditor dated January 22, 1999, transmitting a report, "Study of Proposed Mandatory Health Insurance Coverage for Medical Foods in the Treatment of Inherited Metabolic Diseases," (Report No. 99-4).

Dept. Com. No. 13, from the State Auditor dated January 25, 1999, transmitting a report, "Audit of the Child Protective Services System," (Report No. 99-5).

Dept. Com. No. 14, from the State Auditor dated January 27, 1999, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts of the Department of Accounting and General Services, Department of Agriculture, Department of Budget and Finance, and Department of Land and Natural Resources," (Report No. 99-6), pursuant to Section 23-12, HRS.

Dept. Com. No. 15, from the State Auditor dated January 28, 1999, transmitting a report, "Study of Proposed Mandatory Health Insurance Coverage for Early Intervention Services," (Report No. 99-7).

STANDING COMMITTEE REPORT

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1) recommending that S.B. No. 65 pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 65, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYMENT," passed Second Reading and was referred to the Committee on Labor and Environment.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 28, 1999:

Senate Bill	Referred to:
No. 1520	Committee on Ways and Means
No. 1521	Committee on Education and Technology, then to the Committee on Ways and Means
No. 1522	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development
No. 1523	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Ways and Means, then to the Committee on Judiciary
No. 1524	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. 1525	Committee on Ways and Means
No. 1526	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. 1527 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1528 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1529 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1530 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1531 Committee on Ways and Means
- No. 1532 Committee on Commerce and Consumer Protection
- No. 1533 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1534 Committee on Transportation and Intergovernmental Affairs
- No. 1535 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1536 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1537 Committee on Labor and Environment
- No. 1538 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
- No. 1539 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1540 Committee on Ways and Means
- No. 1541 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1542 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1543 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1544 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1545 Committee on Judiciary
- No. 1546 Committee on Ways and Means
- No. 1547 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1548 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1549 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1550 Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1551 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1552 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1553 Committee on Ways and Means
- No. 1554 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1555 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1556 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1557 Committee on Commerce and Consumer Protection
- No. 1558 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1559 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1560 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1561 Committee on Education and Technology
- No. 1562 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1563 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1564 Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1565 Committee on Ways and Means
- No. 1566 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1567 Committee on Ways and Means
- No. 1568 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1569 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1570 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1571 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1572 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1573 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1574 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1575 Committee on Ways and Means
- No. 1576 Committee on Ways and Means

- No. 1577 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1578 Committee on Ways and Means
- No. 1579 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 1580 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1581 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 1582 Committee on Commerce and Consumer Protection
- No. 1583 Jointly to the Committee on Economic Development, the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1584 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1585 Committee on Ways and Means
- No. 1586 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1587 Committee on Judiciary
- No. 1588 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1589 Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1590 Committee on Ways and Means
- No. 1591 Committee on Ways and Means
- No. 1592 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1593 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1594 Jointly to the Committee on Government Operations and Housing and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1595 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1596 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1597 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1598 Committee on Education and Technology, then to the Committee on Judiciary
- No. 1599 Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1600 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. 1601 Committee on Commerce and Consumer Protection
- No. 1602 Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1603 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1604 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1605 Jointly to the Committee on Judiciary and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1606 Committee on Ways and Means
- No. 1607 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1608 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1609 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1610 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1611 Committee on Ways and Means
- No. 1612 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1613 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1614 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1615 Committee on Ways and Means
- No. 1616 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 1617 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1618 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1619 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 1620 Jointly to the Committee on Judiciary and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1621 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1622 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 1623 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 1624 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1625 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1626	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 141	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1627	Committee on Economic Development	No. 213	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1628	Committee on Ways and Means	No. 214	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1629	Committee on Economic Development, then to the Committee on Ways and Means	No. 500	Jointly to the Committee on Judiciary and the Committee on Commerce and Consumer Protection
No. 1630	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary	No. 608	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1631	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 626	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1632	Committee on Education and Technology, then to the Committee on Ways and Means	No. 679	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1633	Committee on Education and Technology, then to the Committee on Ways and Means	No. 680	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1634	Committee on Judiciary, then to the Committee on Ways and Means	No. 681	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1635	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 739	Jointly to the Committee on Judiciary and the Committee on Commerce and Consumer Protection
No. 1636	Committee on Ways and Means, then to the Committee on Judiciary	No. 757	Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 1637	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 796	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1638	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 841	Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1639	Committee on Education and Technology, then to the Committee on Ways and Means	No. 858	Committee on Labor and Environment, then to the Committee on Judiciary
No. 1640	Committee on Ways and Means	No. 929	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 1641	Committee on Education and Technology, then to the Committee on Ways and Means	No. 963	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 1642	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1119	Committee on Judiciary

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 50	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 54	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 83	Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 86	Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 1174	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 1188	Jointly to the Committee on Economic Development, the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment
No. 1195	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
No. 1276	Committee on Education and Technology, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 11 to 13) were read by the Clerk and were disposed of as follows:

Misc. Com. No. 11, from Senator Brian T. Taniguchi dated January 22, 1999, transmitting a report pursuant to S.C.R. No. 157 (1998), establishing a city, state, and community task force to develop a master plan for improvements to Manoa Recreational Park and Manoa Elementary School, was placed on file.

Misc. Com. No. 12, from the Hawaii Health Systems Corporation dated January 22, 1999, transmitting a report pursuant to Act 229, Section 11, SLH 1998, reporting on the liabilities transferred to Hawaii Health Systems Corporation and accounts receivables, was placed on file.

Misc. Com. No. 13, from the Joint Legislative Committee on Early Childhood Education and Care dated January 1, 1999, transmitting the joint legislative committee report pursuant to H.C.R. No. 120 (1998), was placed on file.

The Chair having so ordered, Misc. Com. No. 13 is identified as ATTACHMENT "I" to the Journal of this day.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 1578, and the Chair granted the waiver.

Senator Kawamoto rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, last Friday with deep humility and the greatest of honor and pleasure, I represented you and the twenty-four other Senators and their staffs in accepting a plaque from the USS Missouri Memorial Association. This morning I'd like to present you with the plaque and I also would like to invite the veterans and sons and daughters of veterans to come and escort me to give you this plaque.

"Thank you."

At this time, Senators Sakamoto, Bunda, Anderson, Slom, Ihara and Fukunaga joined Senator Kawamoto in presenting President Mizuguchi with the USS Missouri Memorial Association's plaque.

The Chair responded:

"We'd like to thank Senator Kawamoto for representing us at the Mighty Mo inaugural. We appreciate what he has done for us here in the Senate."

Senator Slom also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Yesterday, I had the pleasure and the honor of being on the beautiful Valley Isle, participating in the 49th Annual Conference and Convention of the Associated Builders and Contractors Association.

"This was a convention that brought more than 1,800 delegates, small business owners, contractors and their families to the State. It had been planned nearly five-and-a-half years ago. It is still going on, on the Valley Isle. It brought a great deal of people. They were very enthusiastic about coming to Hawaii, and particularly to Maui. They also are spending a great deal and helping our economy.

"And I think the only thing that was really sad, Mr. President, was that there were demonstrations by several hundred union members, many of whom flew over from the Island of Oahu, just to protest and picket these merit shop independent small business contractors. And I think it's incumbent upon us, when we're talking every day about spending more money for the visitor industry, when we have organizations in this State that have signs that say 'No Aloha,' 'Go home, you're not welcomed here,' I think that this has much more of a profound impact on our industry than any amount of money that we could spend.

"So I would suggest that the leaders of these organizations and those of my colleagues who talk to them quite frequently, try to tell them that it is much more important that we present a welcome to all people that come to our State. We welcome what they bring to us and also the message and the invitations that they take back to others.

"So again, thank you, Mr. President."

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

HOUSE COMMUNICATION

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive a House communication transmitting H.B. No. 85, 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. 4, transmitting H.B. No. 85, H.D. 1, which passed Third Reading in the House of Representatives on February 1, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 85, 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 4:07 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 2, 1999.

ATTACHMENT "I"

MISC. COMM. NO. 13

Honolulu, Hawaii

January 1, 1999

RE: H.C.R. No. 120
 H.D. 1
 S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twentieth State Legislature
Regular Session of 1999
State of Hawaii

Honorable Norman Mizuguchi
President of the Senate
Twentieth State Legislature
Regular Session of 1999
State of Hawaii

Sirs:

Your Joint Legislative Committee on Early Childhood Education and Care, appointed pursuant to H.C.R. No. 120, H.D. 1, S.D. 1, adopted by the Regular Session of 1998, begs leave to report as follows:

PART I. BACKGROUND**A. Introduction**

Recent research has demonstrated that the early years of a child are most crucial in the child's cognitive, emotional, social, and physical development. This neuroscience research in early brain development, as well as studies in early child development, affirm not only the tremendous opportunities for preventive work with children and families, but also the predictable, costly consequences of not doing so.

Health care professionals agree that quality early childhood education and care is fundamental to the positive growth and development of children into adults, and urge development of policy decisions that recognize the critical importance of the early years and provide support for families so that every young child has a healthy start in life. In developing these policies and strategies for early childhood education and care, the Legislature was urged to recognize that policy decisions must:

- (1) Create learning opportunities to assure that parents are supported in meeting the important task as the first teachers of the next generation;
- (2) Seek to reduce stress in family life and assure that all infants and toddlers are raised in a safe, nurturing, and caring environment;

- (3) Assure that culturally appropriate family support services are available for all young children at risk for abuse;
- (4) Assure that the needs of young children with disabilities and other special needs are met;
- (5) Address the needs of pregnant and parenting teens to assure the best outcomes for themselves and their babies;
- (6) Commit Hawaii to developing universal quality preschool services for young children within the next decade; and
- (7) Commit Hawaii to assuring quality care for all its keiki.

B. Legislative Mandate

In response to these and related concerns, the Legislature adopted Act 77, Session Laws of Hawaii 1997, which recognized a public and private partnership between the State's Interdepartmental Council and the Good Beginnings Alliance to enhance, develop, and coordinate quality early childhood education and care services. In 1998, the Legislature established a Joint Legislative Committee on Early Childhood Education and Care (JLC) composed of eleven members: six members from the House of Representatives, with at least one member each from the Committees on Human Services and Housing, Health, Education, Labor and Employment, and Finance, and one member from the minority party, all to be appointed by the Speaker of the House of Representatives; and five members from the Senate, with at least one member each from the Committees on: Human Resources, Health and the Environment, Education, and Ways and Means, and one member from the minority party, all to be appointed by the President of the Senate.

The members are Representative Dennis A. Arakaki and Senator Suzanne Chun Oakland, Co-Chairs, Representatives Ezra Kanofo, Alex Santiago, David Stegmaier, Nobu Yonamine, and Barbara Marumoto, and Senators David Ige (appointed in place of Senator Brian Kanno), Marshall Ige, Andrew Levin, and Sam Slom.

C. Approach of the JLC

The JLC held a series of four public meetings for input and discussion at the State Capitol on November 6, December 1, 17, and 30, 1998.

Information was provided by the Office of the Governor, the Department of Education (DOE), the Department of Health (DOH), the Department of Human Services (DHS), the University of Hawai'i, the City and County of Honolulu, Good Beginnings Alliance, the Childcare Business Coalition, Children's Hope International/Asian Media, Family Support Centers, the Hawaii Association for the Education of Young Children (HAEYC), the Hawaii Head Start State Collaboration Project, Hawaii Kids Watch, INPEACE, Kahoolauloa Community Center, MothersCare for Tomorrow's Children, People Attentive to Children (PATCH), Prevent Child Abuse Hawaii, Queen Liliu'okalani Children's Center (QLCC), Seagull Schools, and a number of individuals.

Presentations to the JLC included additional information on the importance of developmental, cognitive, and social growth in the early years, and the need to design an integrated comprehensive, family-centered delivery system to meet the needs of the whole child.

The Committee received an overview of current programs in support of early childhood education and care, including the Office of the Governor's focus on children and families; the DOE's Primary School Adjustment Project (PSAP), special education for pre-schoolers, Families for REAL (Resources for Early Access to Learning), Sequenced Transition to Education in the Public Schools (STEPS), Goals 2000 Grants, and Kindergartners are Most Precious (KAMP); the Childhood Lead Poisoning Surveillance Project, the Children's Trust Fund, and Child Death Review under DOH's Children and Youth Services

Section, Maternal and Child Health Branch (MCHB), as well as programs under the DOH Psychosocial Support Services Section, the Preschool Development Screening Program, the Family Planning Services Section, the Perinatal Support Services Section, and the Hawaii Early Intervention Coordinating Council; as well as the current level of subsidies for childcare to low income families by DHS.

The Good Beginnings Alliance reported on its activities and priorities for the future. Hawaii Head Start discussed its efforts in collaboration with the State; and presentations were made by Family Support Centers, the Childcare Business Coalition, MothersCare for Tomorrow's Children, and the Hawaii Association for the Education of Young Children (HAEYC).

In its meetings, the JLC focussed discussion on the first four of the ten actions of H.C.R. No. 120, H.D. 1, S.D. 1, to:

- (1) Support the Good Beginnings Alliance in the implementation of its duties as delineated in the Good Beginnings Early Childhood Education and Care Master Plan;
- (2) Recommend reallocation of public funds for early childhood education and care;
- (3) Encourage maintaining current levels of funding for early childhood programs and support services; and
- (4) Encourage integrated and responsive policy and program plans that focus on the period before birth through the first five years of life in which all state agencies serving children and families shall consider.

In addition, the JLC held preliminary discussions of action (9), regarding a result-based accountability system using benchmarks and indicators to set goals to focus and coordinate efforts across agencies, between higher and lower levels of government, and between public and private groups at all levels of government; to track outcomes to provide for informed policy decisions impacting programs and resource allocation; and to evaluate programs and policies to determine which programs and policies are effective and to shed light on reasons for the successes or failures.

PART II. RECOMMENDED 1999 LEGISLATION

As a result of its meetings, the JLC recommends legislation for consideration during the 1999 legislative session in support of the first four actions, listed above. The Omnibus Early Childhood Education and Care bill will:

- (1) Establish a revolving loan fund that makes micro-loans of up to \$25,000 to start or expand family child care homes or centers;
- (2) Expand the number of childcare subsidies to increase the number of children in licensed child care programs;
- (3) Expand and continue the Accreditation-Mentor Project for Early Childhood program;
- (4) Support the Good Beginnings Alliance as it supports the county and statewide efforts to coordinate programs and outcomes in the early childhood arena;
- (5) Expand the Families for Real project beyond the three current schools;
- (6) Expand the Keiki Play Mornings program;
- (7) Continue to fund programs for pregnant and parenting teens; and

- (8) Provide funding for Childcare Development Associate Training credentials.

In support of the teen pregnancy and parenting programs, the JLC also recommends a concurrent resolution regarding Board of Education policies and support for parenting classes for teens.

Your Joint Legislative Committee on Early Childhood Education and Care, through its members and supporting agencies, will actively support the above proposed legislation as a vital components to the further development of quality programs for Hawaii's children and their parents.

PART IV. REMAINING WORK

The JLC will continue to meet with regards to the first four actions of H.C.R. No. 120, H.D. 1, S.D. 1, listed on the previous page of this committee report, and will develop strategies and priorities to address the remaining six, including more detailed work on number nine, to:

- (5) Support the development of a data collection system to track outcomes and program effectiveness;
- (6) Support the State's interdepartmental efforts to implement Title XXI to assure health care coverage for all children in the State;
- (7) Encourage expanding incrementally the capacity of intensive home visitation services through Healthy Start, or other appropriate programs, to meet apparent needs;
- (8) Support the development of a comprehensive, community support system which will:
- (A) Allow for local decision-making and embrace collaborative approaches to community engagement and oversight;
 - (B) Place a strong focus on achieving results; and
 - (C) Facilitate the creation of flexible financing systems and strategies that link funding to results;
- (9) Adopt a result-based accountability system using benchmarks and indicators to:
- (A) Set goals to focus and coordinate efforts across agencies, between higher and lower levels of government, and between public and private groups at all levels of government;
 - (B) Track outcomes to provide for informed policy decisions impacting programs and resource allocation; and
 - (C) Evaluate programs and policies to determine which programs and policies are effective, and to shed light on reasons for the successes or failures;
- and
- (10) Develop a plan of action to implement its recommendations.

Pursuant to H.C.R. No. 120, H.D. 1, S.D. 1, your Joint Legislative Committee on Early Childhood Education and Care will submit a final report no later than twenty days prior to the convening of the Regular Session of 2000.

Respectfully submitted,

MANAGERS ON THE PART OF THE
SENATE

MANAGERS ON THE PART OF THE
HOUSE

/s/ Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Co-Chair

/s/ Dennis Arakaki
DENNIS ARAKAKI, Co-Chair

/s/ David Y. Ige
DAVID Y. IGE, Member

/s/ Ezra R. Kanoho
EZRA R. KANOHO, Member

/s/ Marshall K. Ige
MARSHALL K. IGE, Member

/s/ Alexander C. Santiago
ALEX SANTIAGO, Member

/s/ Andrew Levin
ANDREW LEVIN, Member

/s/ David D. Stegmaier
DAVID D. STEGMAIER, Member

/s/ Sam Slom
SAM SLOM, Member

/s/ Noboru Yonamine
NOBORU YONAMINE, Member

/s/ Barbara Marumoto
BARBARA MARUMOTO, Member

NINTH DAY

Tuesday, February 2, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Brad McDaniel, Mililani Missionary Church, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Matsuura who were excused.

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

At 11:39 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.

At this time, the following student "shadows" were introduced:

Senator Buen introduced Tasha Coppa from Baldwin High School;

Senator Kanno introduced Anna Marie Isidro and Dominic Domingo from Ilima Intermediate School;

Senator Taniguchi introduced Nicole Apilando from Roosevelt High School;

Senator Sakamoto introduced Audrey Marks from Moanalua High School; and

Senator Fukunaga introduced Holli Sato from Roosevelt High School.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 141, dated January 27, 1999, transmitting the 1998 Compliance Resolution Fund Annual Report prepared by the Department of Commerce and Consumer Affairs pursuant to Section 26-9, HRS, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORT

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 85, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 85, H.D. 1, S.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 Thursday, February 4, 1999.

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. 88 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 131 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 146 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 194 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 803 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1253 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 1331 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary

No. 1598 Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

Senator Taniguchi, co-chair of the Committee on Commerce and Consumer Protection, requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on S.B. No. 841, and the Chair granted the waiver.

Senator Kanno, co-chair of the Committee on Commerce and Consumer Protection, requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on S.B. No. 1238, 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.

"Some of us may have heard or seen a report that just came out yesterday on management, rating all 50 states, produced by Syracuse University, the Maxwell School of Citizenship & Public Affairs, in conjunction with Governing magazine. In the report card for Hawaii, the overall grade was C-. And some of the things that the survey showed, in relation to our State, I think we need to take to heart because we're always talking in this body about more money. And obviously, our problem is much more deeply seeded than money. It is a question of leadership and a question of management. And that's what this government performance project survey revealed.

"For an overall financial management grade of C-, the report said, 'Largely as a result of its free-spending history and its current problems, Hawaii has one of the highest debt loads in the country, compared with personal income. The current \$1 billion capital budget will bring debt still higher. Not surprisingly, there is no "rainy day" fund though the Administration is proposing one.'

"Under capital management the grade was a little better -- B-, under human resources -- C-; the area of managing for results -- C-. And the report said, 'Hawaii and all its agencies develop strategic plans. However, the statewide plan tends to have goals about as contentious as motherhood and pineapple pie. There are no specific measures in the state plan and it doesn't dovetail with the budget.'

"And finally, Mr. President, in the performance project they gave the category of information technology, which we're always talking about and bragging about, a grade of F -- the lowest in the nation.

"Now, people have different responses to these grades, as other people see us, but I think it's time that we pay attention to what we are not doing and correct those things and, again, look at the area of leadership and management, rather than just trying to throw money at some of our problems, or blaming the Asian economy for the failures that we've made.

"Thank you, Mr. President."

At 11:50 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.

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 3, 1999.

TENTH DAY

Wednesday, February 3, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Bob Nakata, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Sakamoto 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. 142 to 158) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 142, letter dated January 29, 1999, 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. 1064, which increases the revolving fund ceiling in fiscal year 1998-1999 for the Agribusiness Development Corporation, was placed on file.

Gov. Msg. No. 143, submitting for consideration and confirmation as Comptroller, the nomination of RAYMOND H. SATO, term to expire December 2, 2002, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 144, submitting for consideration and confirmation as Chairperson, Board of Agriculture, the nomination of JAMES J. NAKATANI, term to expire December 31, 2002, was referred to the Committee on Economic Development.

Gov. Msg. No. 145, submitting for consideration and confirmation as Attorney General, the nomination of MARGERY S. BRONSTER, term to expire December 2, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 146, submitting for consideration and confirmation as Director of Finance, the nomination of EARL I. ANZAI, term to expire December 2, 2002, was referred to the Committee on Ways and Means.

Gov. Msg. No. 147, submitting for consideration and confirmation as Director of Business, Economic Development, and Tourism, the nomination of SEIJI F. NAYA, Ph.D., term to expire December 2, 2002, was referred to the Committee on Economic Development.

Gov. Msg. No. 148, submitting for consideration and confirmation as Director of Commerce and Consumer Affairs, the nomination of KATHRYN S. MATAYOSHI, term to expire December 2, 2002, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 149, submitting for consideration and confirmation as Adjutant General, the nomination of EDWARD V. RICHARDSON, term to expire December 2, 2002, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 150, submitting for consideration and confirmation as Chairperson, Hawaiian Homes Commission, the nomination of RAYNARD C. SOON, term to expire December 31, 2002, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 151, submitting for consideration and confirmation as Director of Health, the nomination of BRUCE S. ANDERSON, Ph.D., term to expire December 2, 2002, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 152, submitting for consideration and confirmation as Director of Human Resources Development, the nomination of MICHAEL MCCARTNEY, term to expire December 2, 2002, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 153, submitting for consideration and confirmation as Director of Human Services, the nomination of SUSAN MEYERS CHANDLER, Ph.D., term to expire December 2, 2002, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 154, submitting for consideration and confirmation as Director of Labor and Industrial Relations, the nomination of LORRAINE H. AKIBA, term to expire December 2, 2002, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 155, submitting for consideration and confirmation as Chairperson, Board of Land and Natural Resources, the nomination of TIMOTHY E. JOHNS, term to expire December 31, 2002, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 156, submitting for consideration and confirmation as Director of Public Safety, the nomination of THEODORE I. SAKAI, term to expire December 2, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 157, submitting for consideration and confirmation as Director of Taxation, the nomination of RAY K. KAMIKAWA, term to expire December 2, 2002, was referred to the Committee on Ways and Means.

Gov. Msg. No. 158, submitting for consideration and confirmation as Director of Transportation, the nomination of KAZU HAYASHIDA, term to expire December 2, 2002, was referred to the Committee on Transportation and Intergovernmental Affairs.

SENATE RESOLUTION

The following resolution (S.R. No. 10) was read by the Clerk and was deferred:

Senate Resolution

No. 10 "SENATE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF SENATE PROCEEDINGS."

Offered by: Senators Ihara, Chun, Chumbley.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 4, 1999.

ELEVENTH DAY

Thursday, February 4, 1999

STANDING COMMITTEE REPORTS

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:36 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 with the exception of Senators Iwase and Sakamoto who were excused.

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

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 159, letter dated February 1, 1999, 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. 1183, which makes an emergency appropriation to the University of Hawaii for its budgetary shortfall in fiscal year 1998-1999, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 31) was read by the Clerk and was referred to committee:

Senate Concurrent Resolution

No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING THAT A THOROUGH MANUAL RECOUNT OF THE 1998 GENERAL ELECTION RESULTS TAKE PLACE."

Offered by: Senators Mizuguchi, Chun, Ihara, Fukunaga, Levin, Kanno, Taniguchi, Bunda, Kawamoto, Matsunaga, Chumbley, Inouye, Nakata, Hanabusa, Tam, Matsuura, D. Ige, Buen, Anderson, Slom.

Referred to: Committee on Judiciary

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 11 and 12) were read by the Clerk and were referred to committees:

Senate Resolution

No. 11 "SENATE RESOLUTION REQUESTING THAT A THOROUGH MANUAL RECOUNT OF THE 1998 GENERAL ELECTION RESULTS TAKE PLACE."

Offered by: Senators Mizuguchi, Chun, Ihara, Fukunaga, Levin, Kanno, Taniguchi, Bunda, Kawamoto, Matsunaga, Chumbley, Inouye, Nakata, Hanabusa, Buen, Tam, Matsuura, D. Ige, Anderson, Slom.

Referred to: Committee on Judiciary

No. 12 "SENATE RESOLUTION ESTABLISHMENT OF A SENATE INVESTIGATING COMMITTEE TO INVESTIGATE THE OFFICE OF ELECTIONS AND THE 1998 ELECTION RESULTS."

Offered by: Senators Mizuguchi, Hanabusa, Buen, Bunda, Chumbley, Chun, Chun Oakland, D. Ige, M. Ige, Fukunaga, Ihara, Inouye, Kanno, Kawamoto, Levin, Matsuura, Matsuura, Nakata, Slom, Tam, Taniguchi.

Referred to: Committee on Judiciary

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3) recommending that S.B. No. 23 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 23, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 459 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 459, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 716 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 816 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 816, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 1071 pass Second Reading and 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.B. No. 1071, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 976, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 976, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed

Second Reading and 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. 9) recommending that S.C.R. No. 3 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.C.R. No. 3, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," 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. 10) recommending that S.R. No. 3 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. 3, entitled: "SENATE RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was referred to the Committee on Ways and Means.

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

The Senate reconvened at 11:43 o'clock a.m.

ORDER OF THE DAY

THIRD READING

H.B. No. 85, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 85, H.D. 1, S.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, 22. Noes, none. Excused, 3 (M. Ige, Iwase, Sakamoto).

REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Wednesday, February 3, 1999:

Senate Resolution	Referred to:
No. 10	Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 601	Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
No. 744	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 1171	Committee on Education and Technology, then to the Committee on Ways and Means
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No. 1323	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
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No. 1324	Jointly to the Committee on Economic Development, the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
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No. 1583	Jointly to the Committee on Education and Technology, the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
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ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 5, 1999.

TWELFTH DAY

Friday, February 5, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Randy Roche, The Newman Center Holy Spirit Church, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Sakamoto who were excused.

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

Senator D. Ige introduced the following individuals from the University of Hawaii who have contributed to the explosive growth of biotechnology research critical in stimulating Hawaii's growth in the biotechnology industry: Dr. John I. Stiles, Associate Plant Molecular Physiologist, Department of Plant Molecular Physiology, College of Tropical Agriculture and Human Resources; Dr. Ryuzo Yanagimachi, Professor of Anatomy and Reproductive Biology, Department of Anatomy and Reproductive Biology, John A. Burns School of Medicine; Dr. Gregory M.L. Patterson, Researcher, Department of Chemistry; and Dr. Richard E. Moore, Professor, Department of Chemistry.

Senator Taniguchi then introduced Paul Tagliabue, Commissioner of the National Football League. Accompanying Mr. Tagliabue were Bill McConnell, Roger Godell and Joe Brown from the NFL; Kurt Gouveia, a proud "son of Hawaii" and starting linebacker for the San Diego Chargers; and Mufi Hannemann, Honolulu City Council Chair.

The Chair then said:

"Because we have so many young children, scouts, from Kalihi, and Kalihi is a community that has produced some of Hawaii's finest football players, I'd like to ask Senator Lorraine Inouye and Senator Brian Taniguchi to escort our commissioner of the NFL, Paul Tagliabue, to the rostrum so that he may make a short speech to our Senators and to the audience. (Senators Inouye and Taniguchi then escorted Mr. Tagliabue to the rostrum.)

"Members of the Senate, people in the audience, it's my pleasure to introduce the Commissioner of the National Football League, Mr. Paul Tagliabue."

Mr. Tagliabue addressed the members of the Senate and guests as follows:

"Mr. President, members of the Senate, and honored guests, I'll just share a couple of thoughts with you about the partnership between the National Football League and the State of Hawaii.

"First of all, it's a pleasure for me and a privilege to be with your other honored guests here today. It underscores, for me, what a diverse state you have, and what a vibrant state you have here. It's a privilege for me to be with the other guests who are in industries that are so critical not only to your future, but to our future as a nation.

"The other thing I would like to say is that partnership is always pleasant to celebrate, and we feel we have a wonderful partnership between the National Football League and the people of Hawaii, relative to the Pro Bowl. But even better than partnership is the opportunity to celebrate a successful partnership, and I think that, as Senator Taniguchi mentioned, what we have here is a twentieth anniversary celebration of a very successful partnership. And for that, we thank you very much for your part in making this so successful.

"The third thing I'd like to say is directed to the young people in the gallery. We are on the eve of the twenty-first century, and this successful partnership, which has concluded the last two decades of the twentieth century, is a partnership that we look forward to sharing with the next generation of Hawaii's leaders who are here in the gallery. And we would expect that for many, many years to come we can continue in partnership with Hawaii.

"We know that our business is sports and athletics and that in a larger picture that's only a small piece of what society has to accomplish, but we hope that with our small piece we can continue to contribute to the vibrancy of your own economy and enable your own economy to provide the type of quality of life that we all wish for our children and are proud to be able to contribute to.

"So, look to the future for the young people and a congratulations and thank you to those of you here in the Senate and especially to Mufi and the others who have been so actively engaged with us. Thank you very much and we look forward to continuing this partnership well into the twenty-first century.

"Good morning."

The Chair responded:

"Thank you very much, Mr. Commissioner, and we hope that the relationship between Hawaii and the NFL will last for another 20 years and beyond."

At 11:51 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 160 to 172) were read by the Clerk and were placed on file:

Gov. Msg. No. 160, dated January 28, 1999, transmitting a report prepared by the Department of Human Services pursuant to S.C.R. No. 80 (1998), detailing the status of the Domestic Violence exemption.

Gov. Msg. No. 161, dated January 29, 1999, transmitting a report prepared by the Department of Health, Clean Air Branch, pursuant to Act 146, SLH 1997, requesting the Department of Health to establish an advisory task force to conduct an air quality assessment of Campbell Industrial Park and Kahe Valley.

Gov. Msg. No. 162, dated January 29, 1999, transmitting a report prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Wastewater Branch, pursuant to Act 221, SLH 1997, relating to the State Water Pollution Control Revolving Fund of the Department of Health.

Gov. Msg. No. 163, dated January 29, 1999, transmitting a report prepared by the Department of Health, Health Resources Administration, Family Health Services Division, Maternal and Child Health Branch, pursuant to Act 216, SLH 1997, relating to fees collected by the Department of Health.

Gov. Msg. No. 164, dated February 1, 1999, transmitting the 1998 Annual Report of The Research Corporation of the University of Hawaii, pursuant to Section 307-6, HRS.

Gov. Msg. No. 165, dated February 1, 1999, transmitting the Comprehensive Annual Financial Report of the State of Hawaii

for the fiscal year ended June 30, 1998, prepared by the Comptroller pursuant to Section 40-5, HRS.

Gov. Msg. No. 166, dated February 2, 1999, transmitting the 1998 Annual Report of the Employment and Training Fund Program prepared by the Department of Labor and Industrial Relations, Workforce Development Division, pursuant to Section 383-128, HRS.

Gov. Msg. No. 167, dated February 3, 1999, transmitting a report prepared by the Department of Health pursuant to section 321-291, HRS, requiring the Department of Health to give an annual financial report for the newborn metabolic screening special fund.

Gov. Msg. No. 168, letter dated February 3, 1999, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of H.B. No. 1149/S.B. No. 1031, which makes a supplemental appropriation and authorization for \$8,000,000 to allow the Hawaii Health Systems Corporation (HHSC) to meet Year 2000 compliance for systems and equipment, and to reduce the worker's compensation costs of HHSC.

Gov. Msg. No. 169, letter dated February 4, 1999, 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. 1027/H.B. No. 1145, which makes a supplementary appropriation and authorization of \$1,906,336 to allow the Department of Health to fund collective bargaining costs for the emergency medical services contracts with the City and County of Honolulu, and American Medical Response for Maui and Kauai under Chapter 321, HRS.

Gov. Msg. No. 170, letter dated February 3, 1999, 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. 1033/H.B. No. 1151, which makes a supplementary appropriation and authorization for \$31,928,758 to allow the Department of Health, Child and Adolescent Mental Health Division, to continue to provide mental health services to certain emotionally disturbed children and adolescents.

Gov. Msg. No. 171, informing the Senate that on February 4, 1999, he signed into law House Bill No. 85 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Gov. Msg. No. 172, letter dated February 5, 1999, 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. 1103, which provides for an emergency appropriation for state government Year 2000 compliance efforts.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 16, from the State Auditor dated February 2, 1999, transmitting a report, "Financial Audit of the Airports Division of the Department of Transportation," (Report No. 99-8), was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 5, informing the Senate that the amendments proposed by the Senate to H.B. No. 85, H.D. 1, were agreed to by the House, and H.B. No. 85, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on February 4, 1999, was read by the Clerk and was placed on file.

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. 1006 Jointly to the Committee on Health and Human Services and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 1009 Committee on Education and Technology, then to the Committee on Ways and Means

No. 1320 Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 1510 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary

ADJOURNMENT

At 12:02 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., Monday, February 8, 1999.

THIRTEENTH DAY

Monday, February 8, 1999

ADJOURNMENT

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

At 11:45 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 9, 1999.

The Divine Blessing was invoked by Lieutenant Kyle Smith, The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Matsuura and Tam who were excused.

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. 173 and 174) were read by the Clerk and were placed on file:

Gov. Msg. No. 173, letter dated February 4, 1999, 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. 1066, which makes an appropriation in fiscal year 1998-1999 for the Hawaii Tourism Authority's (HTA) Tourism Special Fund.

Gov. Msg. No. 174, letter dated February 4, 1999, 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. 1105, which provides necessary funding for the four-month period remaining in fiscal year 1998-1999 for the Department of the Attorney General's legal representation of the Department of Hawaiian Home Lands in defending the State's interest in resolving claims asserted by individual beneficiaries of the Hawaiian Home Lands Trust.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 32 and 33) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 32 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF DESIGNATING KALAPAKI, HANAMAULU, AND HANALEI BAYS ON KAUAI AS MARINE FISHERIES MANAGEMENT AREAS."

Offered by: Senators Chun, Chumbley.

No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING URGENT ATTENTION TO AN EXPEDITIOUS PLAN OF ACTION TO RESTORE KAUMALAPAU HARBOR."

Offered by: Senator Buen.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. Nos. 452, 460, 566, 693, 694, 698, 1198, 1215, 1356, 1428, 1500 and 1524, and the Chair granted the waiver.

Senator Inouye, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on S.B. Nos. 219, 222, 488, 719, 784, 786, 804, 1614 and 1629, and the Chair granted the waiver.

FOURTEENTH DAY

Tuesday, February 9, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Steve Zurcher, Nanaikapono Protestant 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 Thirteenth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 175 to 178) were read by the Clerk and were placed on file:

Gov. Msg. No. 175, letter dated February 9, 1999, 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. 1283, which increases the appropriation ceiling for claims payments in the fiscal year 1999-2000 for the Unclaimed Property Program.

Gov. Msg. No. 176, letter dated February 4, 1999, 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. 1297, which provides for an emergency appropriation for court appointed counsel in fiscal year 1998-1999.

Gov. Msg. No. 177, letter dated February 4, 1999, 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. 1300, which appropriates \$2,132,595 in general funds in fiscal year 1998-1999 to pay the federal government its share of health insurance rebates and rate credits received by the general fund during fiscal year 1998-1999.

Gov. Msg. No. 178, letter dated February 4, 1999, 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. 1269, which makes an appropriation of \$11.1 million and 283 positions in fiscal year 1998-1999 for the Department of Education.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 34) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 34 "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES."

Offered by: Senator Inouye.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 58, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 DRIVING UNDER THE INFLUENCE OF INTOXICATING

LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 155, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 162, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 660 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 660, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 15) recommending that S.B. No. 672 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 672, entitled: "A BILL FOR AN ACT RELATING TO PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 685 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES UNDER TWO OR MORE NAMES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 687, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 687, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 913 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 913, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 922 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 922, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 1164 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 392 pass Second Reading and 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.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and 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. 22) recommending that S.B. No. 494 pass Second Reading and 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.B. No. 494, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN IN MILITARY SERVICE FOR AMERICA MEMORIAL," passed Second Reading and 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. 23) recommending that S.B. No. 662, as amended in S.D. 1, pass Second Reading and 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.B. No. 662, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 686, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE," passed Second Reading and 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. 25) recommending that S.B. No. 1166 pass Second Reading and 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.B. No. 1166, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOLULU HARBOR, OAHU," passed Second Reading and 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. 26) recommending that S.B. No. 1214 pass Second Reading and 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.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARITIME AUTHORITY," passed Second Reading and 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. 27) recommending that S.B. No. 665, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 666 pass Second Reading and be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 666, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Education and Technology.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 663, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 MOTOR VEHICLE REGISTRATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 664, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 667 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 667, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 676, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 676, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 1216 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO BICYCLING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 480 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 480, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 1060 pass Second Reading and 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.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 1061, as amended in S.D. 1, pass Second Reading and 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.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 1064 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1064, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Last night, the Senate Judiciary Committee held a public hearing that lasted more than 7-1/2 hours. First of all, I want to congratulate the co-chairs and committee members for a well conducted hearing. However, I think I should point out that it was a little unfortunate that we do what we do so many times here in the Legislature, and that is, we hold hearings at the convenience of the legislators and not at the convenience of the taxpayers and the public. There was a large crowd that came specifically to testify last night, and many of them were physically locked out of the door (the reason being given that they exceeded the fire rules), but we've had people stand before; we've had people sit in the aisles. And I think it's incumbent upon us that if we expect and anticipate a large crowd, that we might think very seriously about relocating the hearing to a separate location.

"Having said that, though, I would like to say that the questions that my colleagues asked and the issues that were brought up were both reassuring and troubling. Troubling, in that I think many of us who have been very concerned about the fundamental problems involving the integrity of our voting process were not reassured by the head of the Office of Election's inspections, and we certainly were not reassured by the comments by the Deputy Attorney Generals who said that even though the people of this State have a right to access the ballot which is given to them by the law, that they can't have that right until the Office of Elections goes ahead and develops rules. While the individual that's been involved in that has been involved for 18 years and there are still no rules. And I don't think that's any reason to deny people the rights that we have worked so hard to grant them.

"So, I think that much more has to be done, Mr. President. I think that the public still is very concerned, and they don't believe that we have done as much as we can do. But the Senate has taken the lead in this matter and I'm sure that we're going to continue and make some solid progress. But we have to, absolutely, restore the public's confidence in the voting process.

"Thank you, Mr. President."

Senator Chumbley also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I think that I can speak on your behalf and all the majority members that we do agree with the previous speaker that we must restore public confidence to our voting process. I do want to clarify a couple of points that were made for the members and for those in our gallery today.

"The Judiciary Committee is one of inclusiveness. We invited every single Senator to participate in our hearing, and at

certain times we had up to 16 Senators there. We are inclusive in that we gave everyone an opportunity to testify, Mr. President. We stayed until approximately 1:35 this morning and every single person who wanted to provide comments to the committee, regardless if in writing or orally, was given that opportunity.

"In addition, as legislators we are not above the laws, and even though our building does have fire codes which limit occupancy, we try to accommodate everyone. And in an attempt to do so, we installed TVs with monitors that had direct access to the proceedings of the hearing in two locations -- one in Conference Room 225 and one directly outside in the hall, Mr. President. So I would say that your Committee did everything possible to accommodate all those who wanted to testify and all those who wanted to just watch.

"I would like to thank all the members of the Judiciary Committee and the members of the Senate who stayed until the very end. Everyone was given a chance to participate and that's the way democracy works.

"Thank you."

Senator Anderson, also rising on a point of personal privilege, then stated:

"A point of personal privilege, Mr. President.

"I didn't plan on saying anything, but since we were saying that we gave everybody a chance to do anything, seven hours sitting on a very hard seat for the people that were going to testify, I don't think was fair and equitable. I don't think it's fair and equitable that we locked people out because we were going to go above the fire code. We have an auditorium. The seats there are very comfortable. If you're going to spend seven hours sitting down to testify to wait, at least you have a chance to be a lot more comfortable, as we are when we have our seating.

"Another thing, we shouldn't have said that we weren't going to have room in 211. We could have had the auditorium. It was free, to the best of my knowledge. We knew ahead of time that there was going to be a large group because the newspapers, the radio and television, all the media, have been concerned about what's happening in the voting. And I think we all anticipated a large crowd. So I don't know if we really were as open as we're trying to make everyone think we were. I think we have a problem when we don't try to accommodate the people that paid for this building, that we make them feel a lot more comfortable in the secured building that they paid for, and we owe them that much.

"Thank you very much, Mr. President."

Senator Iwase then rose on a point of personal privilege as follows:

"Mr. President, I'm rising on a point of personal privilege -- on a different subject matter, Mr. President, perhaps not as serious, but no less important.

"Mr. President, I'm sure some of my colleagues here in the Senate know that I'm a great fan of the Beatles. So, this morning, much to my surprise and enjoyment, I opened the front page of the sports section and saw what I thought was a Beatle in a dancing position. And on closer inspection, as Senators do (we learn to inspect things closely), I noted that it wasn't a Beatle, but it was our own Ben Villaflor. And we will be honoring Benjamin Villaflor, Ben Villaflor, in our own way, but I thought it was very appropriate, and I was very proud that the Advertiser saw fit to write a full-page article about the former junior lightweight champion.

"By the way, for those of us who don't know the Beatles, like the young Senator, co-chair of the Ways and Means

Committee, the Senator from Makiki, and not the follicly challenged Senator from Ka'u, the Beatles were a singing group. And I'd like to read from the Advertiser because it has some really nice words about our Ben Villaflor.

'He will be among the 22 newest inductees, former champions, Olympians . . . honored in ceremonies at the Sheraton Waikiki tonight.

'But few will have come as far as the 46-year-old Villaflor. His was a journey from Zamboanga to Hawaii If it wasn't for boxing, Villaflor, now the Hawaii Senate's sergeant-at-arms, said, "I'd still be working on a rubber plantation from 5 a.m. to 5 p.m."

As Senate Sergeant-at-arms, I don't know what the difference is in working on a rubber plantation from 5 a.m. to 5 p.m., but it's different. (Laughter.) No snakes in the trees. (More laughter.) It goes on:

'These days, two decades removed from the ring and a father of three, two of them college graduates, and that's a credit to Ben 'it is hard to tell that Villaflor was once a feared puncher.' And then he gets descriptive and personal about our Ben. 'Only his flattened nose . . .' (Laughter.) I don't know, Ben, about Beatles with a flattened nose. 'Only his flattened nose and a few scars hint at the violent profession he once dominated. Certainly his modesty prevents him from bringing it up unless he is asked about it.

'In that, Villaflor was a rarity in his line of work, someone who was as personable as he was punishing, sensitive as he was strong. So much so that his rival, Shibata, was moved to say that Villaflor was the fighter he most admired.'

"Mr. President, if I may borrow from the line of another British song writer about a different subject, of course, but I think the title of the song is appropriate for him tonight, Rod Stewart's line 'Tonight's the night, it's going to be all right.' I'd like to ask the Senate to join me in congratulating Ben Villaflor, Mr. President." (Mr. Villaflor received a standing ovation and a resounding round of applause from the Senators and staff members.)

At 11:57 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.

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 10, 1999.

FIFTEENTH DAY

Wednesday, February 10, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sarah Benson, a student at St. Andrew's Priory, 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 Fourteenth Day.

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

Senator Slom introduced the following Junior Achievement Hawaii Business Hall of Fame inductees: Lily K. Yao, Vice Chairman of First Hawaiian Bank; Dr. Edison H. Miyawaki, founder of Nuuanu Hale and Liliha Healthcare Center, who was accompanied by his wife, Sallie; and Sidney S. Kosasa, President of the ABC Stores, who was accompanied by Neil Ishida, Human Resource Director of the ABC Stores. Accompanying the group was Pam Huch Kekumano, President, Junior Achievement - Hawaii.

Senator Kawamoto then introduced Admiral Joseph W. Prueher, Commander in Chief of the U.S. Pacific Command, in recognition of his distinguished military career and his service to the United States and the State of Hawaii as he prepares for his retirement from the U.S. Navy. Accompanying Admiral Prueher was his wife, Suzanne.

The Chair then stated:

"Because the military is such an important part of our lives here in Hawaii, I would like to ask Admiral Prueher to make some short comments as he leaves Hawaii into retirement. So may I ask Senators Kawamoto and Bunda to escort Admiral Prueher to the rostrum so he may make some brief remarks to the members of the Senate."

Admiral Prueher addressed the members of the Senate as follows:

"I appreciate this opportunity, and very much the certificate and the recognition to the work that my people have done as all of us ride on the shoulders of others. It's a pleasure to be in this beautiful chambers -- the first time for me -- and to be in front of a Senate body with the prospect, I hope, of not getting grilled too hard on the subject matter at hand. I thank you very much.

"Suzanne and I have enjoyed our time here in Hawaii a tremendous amount. It's a pleasure to be in this State, I think, largely because of the great participation in promoting the freedom of the United States that Hawaii gave during World War II and the State has given subsequently in the proximity to a number of threats in the region throughout the past years. The patriotism and the dedication of Hawaii to her veterans is something that is just a pleasure for me to behold.

"I think as we go forward in a time of protracted peace, which does not come for free, I think of it in terms of tending a garden -- a garden can look pretty good, but it takes a lot of work to keep it that way.

"We must keep in mind the young soldiers, sailors, airmen and marines -- the men and women -- many of whom live in Hawaii. They are different from other people that go around. They are alike in many ways, but they are different in the sense that they have signed up and they have volunteered to spend out their lives in support of democracy so that the rest of us can

have the lives that we are able to lead. So I ask you to keep that in mind.

"I thank you very much, again, for the recognition, for the back and forth that we have with the military and Hawaii. It really works very well. We have an excellent dialogue. We don't always agree on everything, but I think we reach balanced decisions because of the people like you and the Senators that are here.

"And again, as Suzanne and I depart, we can't think of a better place than Hawaii with the warm breezes and the warm waters, which are only topped by the warm friendships that we have here. Thank you very much."

At 11:52 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 179 to 196) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 179, submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, the nomination of EIICHI JUMAWAN, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 180, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of JUNE K. MOTOKAWA, terms to expire June 30, 1999 and June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Credit Union Advisory Board, the nominations of: WAYNE M. SHINTANI, term to expire June 30, 2000; PATRICK PETTI, term to expire June 30, 2002; and RALPH Y. FUJINAKA and MILTON W. Y. LUM, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 182, submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nomination of CHARLES M. FREEDMAN, term to expire June 30, 2002, was referred to the Committee on Education and Technology.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Board of Trustees, Deferred Compensation Plan, the nomination of BRIAN L. SEN, term to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of MARCELLA SETO CHOCK, Pharm.D., term to expire June 30, 2002, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Endangered Species Recovery Committee, the nomination of FREDERICK R. WARSHAUER, term to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Hawai'i Community Development Authority, the nominations of: DOUGLAS WON, term to expire June 30, 2002; and LYNNE WATERS, term to expire

June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Hawai'i Labor Relations Board, the nomination of CHESTER C. KUNITAKE, term to expire June 30, 2005, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 188, submitting for consideration and confirmation to the Board of Directors, Hawai'i Tourism Authority, the nominations of: SHARI W. CHANG, MARK ROLFING, KEITH VIEIRA and RON WRIGHT, terms to expire June 30, 2000; GARY J. BALDWIN, GILBERT M. KIMURA, DIANE S. QUITIQUIT, JOHN LINN REED and ROY TOKUJO, terms to expire June 30, 2002; and W. DAVID P. CAREY III, term to expire June 30, 2002, was referred to the Committee on Economic Development.

Gov. Msg. No. 189, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of: HENRY CHO Sr., term to expire June 30, 2001; and JOHN A.H. TOMOSO, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 190, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nominations of: GARY MCKEAGUE and CLAYTON E. WINGER, terms to expire June 30, 2000; MELVIN MIYAMOTO and J. PATRICK ROLISON, terms to expire June 30, 2001; and ALLAN L. PARKER, term to expire June 30, 2002, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Directors, Housing and Community Development Corporation of Hawai'i, the nomination of ALLAN LOS BANOS, Jr., term to expire June 30, 2002, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of DAVID A. KAKU, M.D., term to expire June 30, 2002, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of GREGORY G.Y. PAI, Ph.D., term to expire June 30, 2000, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Rental Housing Trust Fund Advisory Commission, the nomination of PATRICK S. YAMADA, term to expire June 30, 2001, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Commission on Transportation, the nominations of RUDY MIRANDA and ALFRED WONG, terms to expire June 30, 2003, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of KEN H. TAKAYAMA, term to expire June 30, 2003, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 17 to 20) were read by the Clerk and were placed on file:

Dept. Com. No. 17, from the Department of Education, Student Conference Planning Committee, dated January 28, 1999, transmitting the 1998 State Student Conference Proceedings, "E Ho'ohui Pu Kakou, Together . . . We Can!"

Dept. Com. No. 18, from the Department of the Attorney General, transmitting a report, "Juvenile Robbery Arrests in Honolulu, An Overview."

Dept. Com. No. 19, from the Department of the Attorney General, transmitting a report, "Crime and Justice in Hawaii, 1998 Household Survey Report."

Dept. Com. No. 20, from the Hawaii Tourism Authority dated February 9, 1999, transmitting the Hawaii Tourism Authority 1998 Status Report, pursuant to Chapter 201B, HRS.

HOUSE COMMUNICATION

Hse. Com. No. 6, transmitting H.B. No. 1086, which passed Third Reading in the House of Representatives on February 9, 1999, was read by the Clerk and was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1086, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 35 to 39) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 35 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE CIVIL DEFENSE EDUCATION IN THE PUBLIC SCHOOL SYSTEM."

Offered by: Senators Kawamoto, Matsuura, Bunda, Inouye, Levin.

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

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY REVIEWING THE STATE CIVIL DEFENSE SYSTEM."

Offered by: Senators Kawamoto, Matsuura, Bunda, Inouye, Levin.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT."

Offered by: Senators Kawamoto, Bunda, Inouye, Matsuura, Levin.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS

IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE."

Offered by: Senators Kawamoto, Anderson, Buen, Bunda, Fukunaga, Hanabusa, D. Ige, Ihara, Inouye, Iwase, Kanno, Levin, Matsuura, Mizuguchi, Nakata, Tam, Taniguchi.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS."

Offered by: Senators Kawamoto, Bunda, Fukunaga, D. Ige, Inouye, Iwase, Kanno, Nakata, Tam, Taniguchi.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 13 to 17) were read by the Clerk and were referred to committees:

Senate Resolution

No. 13 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE CIVIL DEFENSE EDUCATION IN THE PUBLIC SCHOOL SYSTEM."

Offered by: Senators Kawamoto, Matsuura, Bunda, Inouye, Levin.

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

No. 14 "SENATE RESOLUTION REQUESTING A STUDY REVIEWING THE STATE CIVIL DEFENSE SYSTEM."

Offered by: Senators Kawamoto, Levin, Matsuura, Bunda, Inouye.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 15 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT."

Offered by: Senators Kawamoto, Levin, Bunda, Inouye, Matsuura.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 16 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII

WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE."

Offered by: Senators Kawamoto, Anderson, Buen, Bunda, Fukunaga, Hanabusa, D. Ige, Ihara, Inouye, Iwase, Kanno, Levin, Matsuura, Mizuguchi, Nakata, Tam.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 17 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS."

Offered by: Senators Kawamoto, Bunda, Fukunaga, D. Ige, Inouye, Kanno, Nakata, Tam.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 1284, as amended in S.D. 1, pass Second Reading and 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.B. No. 1284, S.D. 1, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 39) recommending that S.B. No. 1408 pass Second Reading and 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.B. No. 1408, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 1409 pass Second Reading and 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.B. No. 1409, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 41) recommending that S.B. No. 1410 pass Second Reading and 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.B. No. 1410, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and 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. 55) recommending that S.B. No. 959, as amended in S.D. 1, pass Second Reading and 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.B. No. 959, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," passed Second Reading and 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. 56) 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 Chun, 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 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO BUILD A HAWAII ISLAND VETERANS MEMORIAL CENTER," passed Second Reading and 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. 57) recommending that S.B. No. 1256, as amended in S.D. 1, pass Second Reading and 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.B. No. 1256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," passed Second Reading and 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. 58) recommending that S.B. No. 808 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 59) recommending that S.B. No. 1168, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 12, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 60) recommending that S.B. No. 1194, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 RELATING TO SCHOOL BUSES," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 12, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 61) recommending that S.B. No. 290, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was recommitted to the Committee on Government Operations and Housing.

ORDER OF THE DAY

THIRD READING

S.B. No. 667:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 667, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Iwase). Excused, 3 (M. Ige, Matsunaga, Tanaka).

S.B. No. 1216:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO BICYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsunaga, Tanaka).

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Monday, February 8, 1999 and Tuesday, February 9, 1999:

Senate Concurrent Resolution	Referred to:
No. 32	Committee on Economic Development, then to the Committee on Ways and Means
No. 33	Committee on Transportation and Intergovernmental Affairs
No. 34	Committee on Economic Development, then to the Committee on Ways and Means

Senator Tam, for the Committee on Government Operations and Housing, requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 285, and the Chair granted the waiver.

At 12:02 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.

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 o'clock p.m.

ADJOURNMENT

At 12:10 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., Thursday, February 11, 1999.

SIXTEENTH DAY

Thursday, February 11, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Gene Grounds, Christian Science Church, after which the Roll was called showing all Senators present.

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

STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 62) recommending that the Senate consent to the nomination of REYNALDO D. GRAULTY to the office of Judge, 17th Division, Circuit Court of the First Circuit, 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. 131.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 62 and Gov. Msg. No. 131 was deferred until Friday, February 12, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 63) recommending that S.B. No. 1017 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1017, 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 OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 12, 1999

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 64) recommending that S.B. No. 75, as amended in S.D. 1, pass Second Reading and 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.B. No. 75, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and 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. 65) recommending that S.B. No. 1354, as amended in S.D. 1, pass Second Reading and 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.B. No. 1354, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF HAWAII," passed

Second Reading and 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. 66) recommending that S.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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1367, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SALT LAKE BOULEVARD WIDENING, OAHU," passed Second Reading and 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. 67) recommending that S.B. No. 1379, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 68) recommending that S.B. No. 454, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 69) recommending that S.B. No. 655, as amended in S.D. 1, pass Second Reading and 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.B. No. 655, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VISITOR ALOHA SOCIETY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 70) recommending that S.B. No. 678 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 678, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 71) recommending that S.B. No. 809, as amended in S.D. 1, pass Second Reading and 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.B. No. 809, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 72) recommending that S.B. No. 1222, as amended in S.D. 1, pass Second Reading and 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.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 73) recommending that S.B. No. 1427 pass Second Reading and 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.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 74) recommending that S.B. No. 1443 pass Second Reading and 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.B. No. 1443, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 75) recommending that S.B. No. 1454, as amended in S.D. 1, pass Second Reading and 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.B. No. 1454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL WATERCRAFT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 76) recommending that S.B. No. 1503, as amended in S.D. 1, pass Second Reading and 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.B. No. 1503, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL ASSISTANCE TO MICROENTERPRISES PROVIDED UNDER GRANTS TO NONPROFIT BUSINESS DEVELOPMENT ORGANIZATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 663, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 664, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 676, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 676, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill Referred to:

No. 290, S.D. 1 Committee on Government Operations and Housing, then to the Committee on Ways and Means

Senator Sakamoto rose on a point of personal privilege as follows:

"I rise on a point of personal privilege, Mr. President.

"This afternoon, between 1:30 and 2:30, the Small Business Legislative Caucus will announce with the press and, hopefully, with members that there are six different strategic areas that we hope to work together on for this session. The six areas which we all are familiar with are: general excise tax pyramiding, workers' compensation as it regards to stress for personnel actions, corporate income tax reduction, privatization, tort reform, and re-inventing government. There are bills that we've identified, some of the bills at least, that deal with these areas.

"I'm hopeful that most, if not all of us, can agree with the direction that the Small Business Caucus has proposed, and that the bills that we've numbered which may not be inclusive of all the bills addressing those areas, but certainly are bills that do address those areas.

"I hope that all of you will be prepared to review them, if you haven't already, and then have an opportunity to sign in support of these six areas. That will be between 1:30 and 2:30 in the auditorium. If you are unable to make that, one of us will ask you for your support and, hopefully, we can work together on these issues, 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.

"I'd like to point out, Mr. President, that the Governor this morning had some remarks that he made against the Senate. I

believe that regardless of how he feels, I think that whenever these resolutions that we have are beneficial for the people, it's unfair that the Governor should be taking advantage of a situation and saying things against the Senate and criticizing the Body as a whole and individual Senators.

"He did say that this was partisan and it's beginning to look that way, and I agree with him. We have two Senators here who happen to be Republicans, but I believe the partisanship isn't there. It's the people against government. That's where the partisanship is coming in, ladies and gentlemen. And I would hope that people would start to realize that the old days are gone. The partisanship and parties are no longer the issue here. It's how the people feel about government and the disrespect and the distrust.

"Thank you very much."

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 12:00 o'clock noon, Friday, February 12, 1999.

SEVENTEENTH DAY

Friday, February 12, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 12:07 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Candida Oroc, St. Francis Medical Center, after which the Roll was called showing all Senators present.

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

At this time, Senator Chumbley, in recognizing February as Drug-Free Hawaii Awareness Month, introduced Sandy Lacar from the Coalition For A Drug-Free Hawaii, Cliff Cisco from the Hawaii Medical Service Association, Warren Ferreira from Outrigger Resorts and Hotels, and Kendyl Ko and Dr. Paul LeMahieu from the State Department of Education.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 197 to 201) were read by the Clerk and were placed on file:

Gov. Msg. No. 197, dated February 8, 1999, transmitting a report prepared by the Department of Health, Health Resources Administration, Family Health Services Division, pursuant to H.C.R. No. 11 (1998), requesting the Department of Health to assess mental health services and to provide needed services for children under five years of age as early as possible.

Gov. Msg. No. 198, dated February 8, 1999, transmitting the Department of Taxation's report relating to payments to the State by Electronic Funds Transfer, pursuant to Act 177, SLH 1997.

Gov. Msg. No. 199, dated February 8, 1999, transmitting the 1997-1998 Annual Report of the Department of Taxation, pursuant to Chapter 231, HRS.

Gov. Msg. No. 200, dated February 8, 1999, transmitting a University of Hawaii's Annual Report on Intercollegiate Athletics Exemption from the Procurement Code, pursuant to Act 186, SLH 1997.

Gov. Msg. No. 201, dated February 8, 1999, transmitting the University of Hawaii's Report on the College of Education Action Plan to Address the Teacher Shortage and Teacher Training Needs, pursuant to H.C.R. No. 197 (1998).

STANDING COMMITTEE REPORTS

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 77) recommending that S.B. No. 285, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Government Operations and Housing.

On motion by Senator Chun, 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 CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was recommitted to the Committee on Government Operations and Housing.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 78)

recommending that S.B. No. 1154 pass Second Reading and 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.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 79) recommending that S.B. No. 1155 pass Second Reading and 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.B. No. 1155, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 80) recommending that S.B. No. 1181, as amended in S.D. 1, pass Second Reading and 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.B. No. 1181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 81) recommending that S.B. No. 1183 pass Second Reading and 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.B. No. 1183, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 82) recommending that S.B. No. 1184 pass Second Reading and 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.B. No. 1184, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 83) recommending that S.B. No. 1299, as amended in S.D. 1, pass Second Reading and 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.B. No. 1299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM EXECUTION," passed Second Reading and 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. 84) recommending that S.B. No. 1371, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1371, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 85) recommending that S.B. No. 348, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was recommitted to the Committee on Transportation and Intergovernmental Affairs.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 86) recommending that S.C.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 86 and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A FULL, COMPLETE, AND DULY SUPERVISED AUDIT OF THE 1998 GENERAL ELECTION RESULTS," was deferred until Tuesday, February 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 87) recommending that S.R. No. 11, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 87 and S.R. No. 11, S.D. 1, entitled: "SENATE RESOLUTION URGING A FULL, COMPLETE, AND DULY SUPERVISED AUDIT OF THE 1998 GENERAL ELECTION RESULTS," was deferred until Tuesday, February 16, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 62 (Gov. Msg. No. 131):

By unanimous consent, action on Stand. Com. Rep. No. 62 and Gov. Msg. No. 131, was deferred to the end of the calendar.

THIRD READING

S.B. No. 1168, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 1168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1194, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1017:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1017, 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 OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:29 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.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

ADVISE AND CONSENT

Stand. Com. Rep. No. 62 (Gov. Msg. No. 131):

Senator Chumbley moved that Stand. Com. Rep. No. 62 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of REYNALDO D. GRAULTY as Judge of the 17th Division, Circuit Court of the First Circuit, 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 in support of the nominee and said:

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

"Mr. President, Reynaldo Graulty is an individual that is more than qualified for the position of Circuit Court Judge. He has 17 years of legal experience in private practice and he has served 8 years in the Hawaii State Legislature -- first as a State Representative and subsequently as a State Senator. In addition, Mr. Graulty was appointed as State Insurance Commissioner in 1997.

"Mr. President, his community activities include serving on the board of directors for the Legal Aid Society of Hawaii. He is also a member of the Juvenile Justice State Advisory Council. At his confirmation hearing, Mr. Graulty was duly questioned by the Judiciary Committee members, perhaps in the same manner that he used to question nominees when he was the Judiciary chair.

"Mr. President, Mr. Graulty's knowledge of the law and views on pressing community issues such as tort reform and auto insurance were impressive and thoughtful. During the hearing, the committee heard several members of the legal community, as well as organizations and private citizens, come forward to voice their overwhelming support for Mr. Graulty. To quote some of the testimony that was reiterated several times, 'Reynaldo Graulty is a fair-minded, intelligent, compassionate and hard-working individual. Mr. Graulty possesses the legal knowledge and ability, professional experience, judicial temperament and diligence needed to be qualified as a Judge in the First Circuit Court.'

"Mr. President, as you can see, this appointment comes with great community support and is well deserved. I am confident

that Mr. Grauly's commitment to excellence will enhance and protect the quality of life for all of us in our community.

"And, Mr. President, on a personal note, I'd like to share what Mr. Grauly has meant to me as a Senator. He has taught me how to strive to become a good Judiciary chair. He has taught me how to help keep the committee working together, while respecting deeply held beliefs that may differ. And, Mr. President, he has taught me how to hold true to my principles and convictions with integrity.

"Thank you, Mr. President."

Senator Kanno also rose in support of the nominee and stated:

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

"I have the highest respect for Mr. Grauly's integrity and his contributions to our State. I urge my colleagues to vote 'aye.'

"Thank you."

Senator Kawamoto, rising in support of the nominee, then added:

"Mr. President, I'm rising in support of the nominee.

"Mr. President, I've known the nominee over many years. His integrity and his family are above reproach. His community sensitivity will make him a good judge. His involvement with veterans' affairs has been outstanding, especially with those veterans that became citizens as they fought in WW II and with General MacArthur and they're here in Hawaii as United States citizens, and understands their plight. Therefore, I urge my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Chumbley also rose to support the nominee and stated:

"Mr. President and colleagues, I rise in support of the nomination.

"Mr. President and colleagues, as a freshman Senator in 1994, I had the great opportunity to be placed next door to Senator Grauly. And I can tell you that one thing I learned from him was to work hard. This individual was in his office many, many late hours. We used to sit down together and talk about the challenges and the issues that we faced. And I've never met an individual that has shown so much integrity and so much hard work. As a mentor, he showed me that this is the way to succeed, and that hard work is something all of us can contribute for the betterment of this State.

"We have questioned him about many difficult issues, including judicial restraint. And I believe that this individual has the will, and the integrity, to separate his responsibility from a legislator who made laws, to a judge, now, who can interpret the laws.

"I'm very happy and very pleased to support him for a Circuit Court Judge.

"Thank you."

Senator Slom rose in opposition to the nominee and said:

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

"There is no question that the candidate is above reproach. He is honest, hard working, knowledgeable, and experienced in many areas. I've known the candidate from the time he was in the State House, the time he was in the State Senate, and after

he lost his re-election bid when the Governor appointed him to the position of Insurance Commissioner.

"It's my understanding, however, that people know the candidate primarily as a politician, because he does not have courtroom experience. It's also my understanding that a list of six individuals were sent to the Governor for choosing -- four of those individuals were District Court practicing judges, one was a private attorney with a great deal of courtroom experience, and the final was the candidate. The Governor, known primarily not as an attorney or for his courtroom experience, but known as a politician, selected another politician.

"The question is, Is the candidate the best qualified individual at this time? And I would suggest that the answer to that, with all of his qualifications, is no.

"What message is it that we are sending to experienced District Court Judges who work their way through their experience to the Circuit Court level? What experience and what message are we sending to the electorate in the district that chose someone else the last time that the candidate ran for public office, since we do not elect our attorneys or the attorney general in this State? What message do we send to the public who already have many concerns about our Judiciary and its make-up? They're not that concerned about judges not being able to live on \$90,000 a year. They're more concerned about who the judges are; where they come from; who selects them; and the fact that they seem to be overwhelmingly political appointees in one particular party.

"And finally, Mr. President, what message is it that we send to the public who have a perception that, in our State, anything involving the government, the overriding consideration is who you know, rather than what you know.

"We have a duty, and it's not a pleasant duty, to stand up and oppose anyone for any reason, particularly, someone who is qualified. But we have a duty to put this State back in order and to restore the public's trust. We see how they feel about the election process, and those of us who go outside of this chamber and outside of this building know how they feel about the judges and about the Judiciary and its positions. I think that if we really want to send a message, we have to send a message that we need the very best qualified, and we have to stop making political appointments. We have to send a message that the real concern has got to be merit, accountability, responsibility and genuine judicial reform.

"Thank you, Mr. President."

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

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

At this time, Senator Matsunaga introduced Judge Grauly to the members of the Senate. Accompanying him was his wife, Gigi, other family members, friends, and colleagues.

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill Referred to:

No. 285, S.D. 1 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 348, S.D. 1 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1557 Committee on Transportation and
Intergovernmental Affairs, then to the Committee on
Commerce and Consumer Protection

ADJOURNMENT

At 12:57 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., Tuesday, February 16, 1999.

EIGHTEENTH DAY

Tuesday, February 16, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Carpenter, District Superintendent of the Missionary Churches 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 Seventeenth Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 202, advising the Senate that a term of expiration of a nomination to the Board of Directors, Hawai'i Tourism Authority, under Gov. Msg. No. 188, dated February 8, 1999, has been amended as follows: SHARI W. CHANG, MARK ROLFING, KEITH VIEIRA and RON WRIGHT, terms to expire June 30, 2000; and W. DAVID P. CAREY III, GARY J. BALDWIN, GILBERT M. KIMURA, DIANE S. QUITQUIT, JOHN LINN REED and ROY TOKUJO, terms to expire June 30, 2002, was read by the Clerk and was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 88) recommending that S.B. No. 484 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 484, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 89) recommending that S.B. No. 860 pass Second Reading and 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.B. No. 860, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 90) recommending that S.B. No. 949 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 949, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 91) recommending that S.B. No. 1139, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1139, 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 Thursday, February 18, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 92) recommending that S.B. No. 1140, as amended in S.D. 1, pass Second Reading and 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.B. No. 1140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 93) 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 Chun, 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 RELATING TO THE CONVERSION OF BUSINESS ENTITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 94) recommending that S.B. No. 1142, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 95) recommending that S.B. No. 1143 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1143, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 18, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 96) recommending that S.B. No. 1178, as amended in S.D. 1, pass Second Reading and 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.B. No. 1178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 97) recommending that S.B. No. 1512, as amended in S.D. 1, pass Second Reading and 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.B. No. 1512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 98) recommending that S.B. No. 883, as amended in S.D. 1, pass Second Reading and 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.B. No. 883, 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.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 99) recommending that S.B. No. 884 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 884, entitled: "A BILL FOR AN ACT RELATING TO FINANCING OF AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 100) recommending that S.B. No. 488 pass Second Reading and 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.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 101) recommending that S.B. No. 719 pass Second Reading and 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.B. No. 719, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 102) 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 Chun, 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 INVESTMENT ATTRACTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 103) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

1431, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 104) recommending that S.B. No. 1614 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1614, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 105) recommending that S.B. No. 1629 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1629, entitled: "A BILL FOR AN ACT MAKING AN INTERIM APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESOURCE MANAGEMENT DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:43 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM FRIDAY, FEBRUARY 12, 1999

STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 86 (S.C.R. No. 31, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 86 and S.C.R. No. 31, S.D. 1, be adopted, seconded by Senator Matsunaga.

Senator Hanabusa rose in support of the measure and said:

"Mr. President, I rise to speak in support of these resolutions.

"These resolutions represent what the people of this State want from their Legislators. They will evidence, first, the leadership -- the ability of the President of this body to respond to the cry of the people and to bring together a bi-partisan resolution. Second, these resolutions evidence my colleagues' unflinching conviction to restore the public trust -- putting the public good above their own; setting aside their personal concerns. In particular, Senators from the Wahiawa, Kahaluu and Downtown districts are very noteworthy. They had very close races, and I am in awe of them. Third, these resolutions show the ability of this Senate to act as one to craft a solution under the auspices of our co-chairs of the Judiciary Committee.

"Finally, I would be remiss if I did not say that not only should the people's faith and trust be restored, but this freshman Senator's, as well, for we have shown that we are an issue-driven body, here to serve the people of this State.

"My colleagues, I ask that you continue your support of these resolutions. Let us pass these resolutions to show the people that this body is ready to take on the people's business, to put them above all, no matter how difficult, no matter who criticizes us, and no matter the personal cost.

"Thank you, Mr. President."

Senator Iwase rose in support of the measure and said:

"Mr. President, I'm rising to speak in support of the resolutions.

"Mr. President, the Attorney General's opinion which is cited in the committee report accompanying the resolution, both resolutions -- concurrent and resolution -- states that only the Supreme Court can order a re-count in contested elections. I believe that is a correct statement of the law. It is also clear, under the law, that only the Supreme Court can invalidate an election, or decide which candidate was elected when there has been a challenge to that election.

"I think it is also clear that the Legislature cannot order a re-count of an election and I think it would be difficult for us to be in a position, given the inherent conflict that we are all elected officials, to order re-counts of an election. It is the province of the Supreme Court.

"However, this resolution appears to be a prudent compromise, given all that has occurred. And given the controversy, it would be appropriate and prudent for the Chief Election Officer to comply with this resolution, particularly, if it is passed by both Houses of the Legislature. It may become more problematic if just the Senate enacts that resolution; it does not have the force and effect of law.

"The question that remains is, and that's the reason I rise to speak, Mr. President, What do we do hereafter? The Legislature is a policy-making body. We are not an adjudicatory body. We enact laws, including laws governing the election. If reforms are needed, then we must act. The focus must not be on just this election, but others to follow.

"The concurrent resolution points out problems that occurred with this election -- fiscal constraints, lack of staff, the technology was not updated. And so we must ask, How much more money is needed to upgrade the system, to hire staff, and to educate the public on the new election system? Who should conduct the election? In the 1995 Special Session, Act 27, I believe, we, the Legislature, temporarily moved jurisdiction of the conduct of elections away from the Lt. Governor to a Chief Election Officer with the intent that there be accountability, and that the elections be conducted efficiently, and that the public have faith and confidence in the election process.

"Should we re-visit this question, given what has transpired, so that we can assure accountability in the conduct of an election? And let me point out that in that act we left sole responsibility for conducting an election with one individual -- not a committee, not a commission -- because we felt that one individual, leaving it with one individual would insure accountability. Questions are now raised. Are there deficiencies in the laws regulating challenges to election results so that the Supreme Court cannot have jurisdiction? If so, what are they, and what corrective action should be taken?

"Now, Mr. President, with respect to the first question -- the money for the election in purchasing equipment and training staff and educating the public -- that's for the money committees. Hopefully, that will be closely reviewed.

"Second, with respect to the other questions, I believe they can be and should be revisited by the Judiciary Committee, perhaps commencing tomorrow when hearings are conducted on S.B. 1462, which seeks to make permanent the Office of the Election. If we are to restore voter confidence in the elections, then it is not sufficient that we pass just a resolution, because questions will remain. And if results show that others were elected who are not sitting here, we cannot change that election result, will that engender voter confidence? Suppose a race

where an individual won by 80 percent of the votes, it is determined that he lost . . . a whole lot of questions will arise.

"Therefore, I think what we should do is to dispassionately review this election and determine, dispassionately, if grievous errors or fraud was committed; enact responsible reforms which address any findings of substantial error or fraud; and seriously revisit the question of who should conduct this election, any election conducted in the State of Hawaii -- the Chief Elections Officer, the Lt. Governor, a commission -- because, again, just four years ago -- just four years ago -- we made a change. We made a change with the intent to improve the election process. We made the change to insure voter confidence in the election process. And in 1999 we are confronted with the question, a controversy as to whether or not an election was conducted appropriately with sufficient staff, voter confidence was engendered or deteriorated? And hopefully, those questions will be revisited because this resolution alone is not enough.

"Thank you."

Senator Chumbley rose to support the resolutions as follows:

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

"Mr. President and colleagues, I wholeheartedly agree with the previous speaker that the action taken on these resolutions today, in and of itself, by itself, is not enough to restore voter confidence; that we must go much further than just the adoption of these resolutions.

"In 1995, as a member of this body, I voted in support of Act 27 to move the Office of Elections out of the oversight of the Lt. Governor's Office, and I think that was the right direction. And I believe that was a correct vote that this body made. And in addition, I agree with the previous speaker that we must go further.

"Mr. President and colleagues, tomorrow on the Judiciary's agenda, in Room 229 starting at nine o'clock, there's a whole series of bills that not only deal with the oversight of the Office of Elections but deal with the issue of, Should we have a manual re-count when there's an election determined within a certain percentage? And should we have a commission that has direct responsibility over the Chief Elections Officer? Constitutionally and statutorily, the Chief Elections Officer is directly empowered. And I think that we need to restore that confidence that we have always had in our Elections Officer in this State.

"I want to say also, Mr. President and colleagues, that we need to applaud and acknowledge the countless hours the volunteers and the election observers put into this effort. They have committed themselves to do voluntary work throughout our State and it is not the integrity or the honesty that is in question of those individuals. It is the mechanical aspects and the malfunctions of the machines under the OMR technology that is in question. Those individuals have contributed to democracy in our society and those individuals should be recognized for the honesty and integrity that they have committed to the process.

"Mr. President and colleagues, I believe all of us in the Senate are committed to restoring voter confidence, and I want to move forward with the OMR technology because it is the technology of the future. Let's not step back to the punch system. Let's continue with OMR, but let's create an oversight and let's create a process that all voters in this State can believe in and that everyone can be assured that their vote does count.

"I urge all of my colleagues to support these resolutions.

"Thank you."

Senator Anderson rose in support of the measure and said:

"Mr. President, I'm in favor of the resolutions, however, normally when I speak I don't like to read something and because I don't want to try to go over the same avenues of the rest of the Senators, I'd like to just point out that in adopting these resolutions we should also be equal opportunity critics.

"Let's recognize that the elections division is not alone in encountering problems with new technology and that there is enough blame to go around for everybody. When it comes to high technology and computer systems, our government landscape is littered with problems. Our own Legislature system has failed and we have not been able to correct that, so we're going to limp through this coming session.

"Also, let's look at the Governor, who significantly reduced the appropriation for the elections division and the Legislature who followed suit; the Legislature, who repealed that section of the election laws that applies to the existing problems we now face and who failed in 1997 and 1998 the elections division bill that would have restored that section of law, the bill that was reintroduced this session and we should pass that particular legislation this year. The elections division is accused of not promulgating the required rules and regs and we should follow up on that.

"The most basic right, Mr. President, of the citizens is the right to vote. We were penny-wise and pound-foolish to try and hold an election with a cheap part of a system that we could not afford to do it right and it was our fault, not the Elections Office. (I have a hard time when I have to read something, Mr. President. I would rather talk from the heart, but I was told by different people that they have a hard time following me at times.) (Laughter.)

"Mr. Yoshina was faced with an emergency situation caused by the administration denying him significant personnel to conduct an election in the old and investigation should have been included, but we failed. We failed, not the department, Mr. President. And I would like to say that the Advertiser on January 16 has the Governor saying, 'The State law is silent on what happened, and a recount determined would not change anything.' Yet, on the same day, Mr. Welsh said that the company officials knew of the Waianae Precinct problem, but the State law prohibited them from doing anything. If there was such a problem and we knew it, they should have come to us and asked us to correct it. I think the citizens deserve that.

"I sit in committees day after day where there's problems. We all know it, and we continually deny to put bills forward that are going to correct these problems. We continually make laws that you could drive a Mack truck through. We have to change that procedure. We don't make laws for every attorney to say, this person has to have their day in court. We should be making the laws for the people, making them very stringent. The courts could say this is the problem, and then if there is a flaw within the law or if there's a loophole, that very wise attorney would find it. But to make a law so bad that it really doesn't apply to the needs of the constituency and for the reasons that we are here, is absolutely wrong.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A FULL, COMPLETE, AND DULY SUPERVISED AUDIT OF THE 1998 GENERAL ELECTION RESULTS," was adopted.

Stand. Com. Rep. No. 87 (S.R. No. 11, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the report of the Committee was adopted and S.R. No. 11, S.D. 1, entitled: "SENATE RESOLUTION URGING A FULL, COMPLETE, AND DULY

SUPERVISED AUDIT OF THE 1998 GENERAL ELECTION RESULTS," was adopted.

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 S.B. No. 1359, and the Chair granted the waiver.

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 1452, and the Chair granted the waiver.

ADJOURNMENT

At 12:09 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., Wednesday, February 17, 1999.

NINETEENTH DAY

Wednesday, February 17, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 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 Senators Fukunaga, Kawamoto and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Eighteenth Day.

STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 106) recommending that S.B. No. 821 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 107) recommending that S.B. No. 1147, as amended in S.D. 1, pass Second Reading and 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.B. No. 1147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 108) recommending that S.B. No. 1148 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1148, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 109) recommending that S.B. No. 1308 pass Second Reading and 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.B. No. 1308, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN INCUMBENT WORKER JOB TRAINING PROGRAM FOR GROWTH INDUSTRIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 110) recommending that S.B. No. 1470 pass Second Reading and 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.B. No. 1470, entitled: "A BILL FOR AN ACT RELATING TO

STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 111) recommending that S.B. No. 538, as amended in S.D. 1, pass Second Reading and 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.B. No. 538, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 112) recommending that S.B. No. 550, as amended in S.D. 1, pass Second Reading and 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.B. No. 550, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 113) recommending that S.B. No. 1011 pass Second Reading and 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.B. No. 1011, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 114) recommending that S.B. No. 1103 pass Second Reading and 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.B. No. 1103, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 115) recommending that S.B. No. 1185, as amended in S.D. 1, pass Second Reading and 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.B. No. 1185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 116) recommending that S.B. No. 1270 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1270, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 18, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 117) recommending that S.B. No. 1271, as amended in S.D. 1, pass Second Reading and 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.B. No. 1271, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 118) recommending that S.B. No. 1273, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1273, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS FOR TEACHER TRAINEES," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 119) recommending that S.B. No. 1276, as amended in S.D. 1, pass Second Reading and 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.B. No. 1276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 120) recommending that S.B. No. 1278, as amended in S.D. 1, pass Second Reading and 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.B. No. 1278, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 121) recommending that S.B. No. 5, as amended in S.D. 1, pass Second Reading and 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.B. No. 5, S.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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 122) recommending that S.B. No. 99 pass Second Reading and 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.B. No. 99, entitled: "A BILL FOR AN ACT RELATING TO

WILDLIFE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 123) recommending that S.B. No. 219, as amended in S.D. 1, pass Second Reading and 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.B. No. 219, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COFFEE INSPECTION REVOLVING FUND TO PROVIDE ADDITIONAL INSPECTORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 124) recommending that S.B. No. 222 pass Second Reading and 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.B. No. 222, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII AGRICULTURE RESEARCH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 125) recommending that S.B. No. 804 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 804, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA RACING ENTRY IN AMERICA'S CUP 2000," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 126) recommending that S.B. No. 942, as amended in S.D. 1, pass Second Reading and 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.B. No. 942, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 127) recommending that S.B. No. 1066 pass Second Reading and 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.B. No. 1066, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 128) recommending that S.B. No. 1083 pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1083, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed

Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 129) recommending that S.B. No. 1086 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1086, entitled: "A BILL FOR AN ACT RELATING TO BOATING PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 130) recommending that S.B. No. 1087, as amended in S.D. 1, pass Second Reading and 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.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 131) recommending that S.B. No. 1091 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1091, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 132) recommending that S.B. No. 1095 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1095, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 133) recommending that S.B. No. 1321, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 134) 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 Chun, 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 RECREATIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 135) recommending that S.B. No. 1489 pass Second Reading and 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.B. No. 1489, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OCEAN PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 136) recommending that S.B. No. 749 pass Second Reading and 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.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 1607, and the Chair granted the waiver.

Senator Nakata, for the Committee on Labor and Environment, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. Nos. 235, 1333 and 1548, and the Chair granted the waiver.

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.

Senator Bunda, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 658, and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'd like to give out some information on a survey that I sent out right after the first of the year. I had this done and I think it's pertinent to what we're doing today because the constituents that I represent are a good cross-section and I believe that they represent the same concerns that your constituents have.

"In this, I asked for different items for education, such as district management of schools, appointment of the head of DOE, charter schools, vouchers, tax credits, streamlining government by making a unicameral system, gambling with a referendum -- an advisory referendum, not a binding referendum. We had lottery, shipboard gambling, bingo, horse racing. We also had mandatory drug testing for public employees, including elected officials. We also had down here to allow voters to propose and approve laws on legislation through initiative referendum and recall. We had domestic partnership benefits, unrelated partners of same sex, related partners of any sex, and also capital punishment, Mr. President.

"What's relevant in this is they paid to mail this back to me. In all the surveys I've ever done, this one got the most attention and I received 864, I believe, was returned. Out of this, the other morning we had on an editorial that people were against capital punishment. On that particular item, we had 605 in support, 233 opposed, and no opinion on 36. And the reason why that one was more than the normal that we got back was because we counted only those ballots that we got back. But some of the people wrote down 'this ballot is also for my wife,' or 'this ballot is for so and so.' So it's above the number of ballots that we got back.

"On the lottery, shipboard gambling, bingo, horse racing, it came out where we had 456 supporting the lottery; 387 supporting shipboard gambling; 401 supporting bingo; and 212 for horse racing. On the other side, the opposing was 353 on the lottery; 402 on shipboard gambling; 382 on bingo; and 486 on horse racing.

"Now, they did have 'no opinion.' But in reality, what they wrote down here is some people said, 'I don't want gambling, but I want to vote.' Others said, 'I just want to vote.' They didn't have any numbers written down.

"If you were to look at putting down percentages, it would run around 78 percent in favor of an advisory referendum. I've always believed that it's right for us to allow our constituents input, but if we're not going to hear bills, then we won't know and we won't have dialogue; we won't have anything. The people who come here, normally, are either for or against any issue -- they're special interest. This one represents the people who probably won't be able to come down to our Legislature, but they took the time and they placed their own money on this, and I think that's fair. As I said, it's the best survey I've ever gotten back.

"When you can have the people say capital punishment, for instance, is opposing anything that the editorial said. But we won't have a hearing on capital punishment and when we do, we get all the churches down here who are opposed to it. And then you say, 'Well, the reason we're going to kill this is because it's overwhelming.' Well, naturally, it's overwhelming. I don't think the churches want anybody to be put to death, and I don't think any of us do. It says, for a specific type of crime.

"Years ago, we had a mock legislature down here of young people, and you know what they said about the Legislature? May I, Mr. President? (Chair: "Please proceed.") They said we had no guts because we would not implement any type of legislation such as castration for rape in the first degree that other states have. And I've had it in there for years. But you know why we won't have a hearing? Because it's controversial. Well, why are we here? Are we here only to amend particular pieces of legislation for special interest groups? Are we only here to put in the bills that people want or the departments feel that is great. I don't mind controversy. I think it's fair and I think it's fair that we have dialogue between one another. That's what life is all about.

The real people out there think we're a bunch of clowns, that we don't even care how they feel. And that's factual. And that's why on opening day I said, even for things that we say we believe in, we really don't even fund it.

"Thank you very much for listening to me, Mr. President and my fellow colleagues."

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 18, 1999.

TWENTIETH DAY

Thursday, February 18, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kosen Ishikawa, Jodo Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Iwase, Matsuura and Tanaka who were excused.

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

At this time, Senator Kawamoto introduced the following individuals representing the U.S.S. Missouri Memorial Association: Edwin L. Carter, Chairman of the Board; Admiral Ronald Hays, USN (Retired), member of the Board; Harold Estes, former member of the Board; Michael Lilly, member of the Board; Vice Admiral Robert K.U. Kihune, USN (Retired), President and Vice-Chairman; and Captain Donald Hess, USN (Retired), Vice President of Operations.

At 11:51 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.

HOUSE COMMUNICATION

Hse. Com. No. 7, returning S.C.R. No. 31, S.D. 1, which was adopted by the House of Representatives on February 17, 1999, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 40) was read by the Clerk and was referred to committees:

Senate Concurrent Resolution

No. 40 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE DEPARTMENT OF TRANSPORTATION'S INITIATIVE TO IDENTIFY, PROTECT, AND ENHANCE HAWAII'S HERITAGE ROADS."

Offered by: Senators Chumbley, Chun, Levin, Buen, Tanaka, Inouye, Matsuura, Chun Oakland.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

SENATE RESOLUTION

The following resolution (S.R. No. 18) was read by the Clerk and was referred to committees:

Senate Resolution

No. 18 "SENATE RESOLUTION EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE DEPARTMENT OF TRANSPORTATION'S INITIATIVE TO IDENTIFY, PROTECT, AND ENHANCE HAWAII'S HERITAGE ROADS."

Offered by: Senators Chumbley, Chun, Levin, Buen, Tanaka, Inouye, Matsuura, Chun Oakland.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

STANDING COMMITTEE REPORTS

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 137) recommending that S.B. No. 1519, as amended in S.D. 1, pass Second Reading and 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.B. No. 1519, 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.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 138) recommending that S.B. No. 202 pass Second Reading and 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.B. No. 202, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 139) recommending that S.B. No. 30, as amended in S.D. 1, pass Second Reading and 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.B. No. 30, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 140) recommending that S.B. No. 207 pass Second Reading and 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.B. No. 207, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 563, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 142) recommending that S.B. No. 738 pass Second Reading and be referred to the Committee on Health and Human Services.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 738, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," passed Second Reading and was referred to the Committee on Health and Human Services.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 1023 pass Second Reading and 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.B. No. 1023, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 144) recommending that S.B. No. 1152 pass Second Reading and 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.B. No. 1152, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 145) recommending that S.B. No. 1251 pass Second Reading and 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.B. No. 1251, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 536, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 147) recommending that S.B. No. 869, as amended in S.D. 1, pass Second Reading and 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.B. No. 869, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 148) recommending that S.B. No. 1250 pass Second Reading and 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.B. No. 1250, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 149) 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 Chun, 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 EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 150) recommending that S.B. No. 41, as amended in S.D. 1, pass Second Reading and 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.B. No. 41, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 151) recommending that S.B. No. 185, as amended in S.D. 1, pass Second Reading and 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.B. No. 185, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 152) recommending that S.B. No. 964, as amended in S.D. 1, pass Second Reading and 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.B. No. 964, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 153) recommending that S.B. No. 669, as amended in S.D. 1, pass Second Reading and 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.B. No. 669, 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 Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 154) recommending that S.B. No. 223, as amended in S.D. 1, pass Second Reading and 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.B. No. 223, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," 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. 155)

recommending that S.B. No. 1163 pass Second Reading and 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.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES," 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. 156) recommending that S.B. No. 600, as amended in S.D. 1, pass Second Reading and 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.B. No. 600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," 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. 157) recommending that S.B. No. 602, as amended in S.D. 1, pass Second Reading and 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.B. No. 602, 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 Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 603, as amended in S.D. 1, pass Second Reading and 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.B. No. 603, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KASHBOX 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. 159) recommending that S.B. No. 604, as amended in S.D. 1, pass Second Reading and 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.B. No. 604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," 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. 160) recommending that S.B. No. 926, as amended in S.D. 1, pass Second Reading and 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.B. No. 926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," 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. 161) recommending that S.B. No. 612 pass Second Reading and 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.B. No. 612, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," 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. 162) recommending that S.B. No. 605, as amended in S.D. 1, pass Second Reading and 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.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," 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. 163) recommending that S.B. No. 617, as amended in S.D. 1, pass Second Reading and 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.B. No. 617, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROSTITUTION INTERVENTION SERVICES," 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. 164) recommending that S.B. No. 1121, as amended in S.D. 1, pass Second Reading and 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.B. No. 1121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," 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. 165) recommending that S.B. No. 931 pass Second Reading and 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.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE," 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. 166) recommending that S.B. No. 1158 pass Second Reading and 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.B. No. 1158, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," 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. 167) recommending that S.B. No. 1159, as amended in S.D. 1, pass Second Reading and 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.B. No. 1159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM 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. 168) recommending that S.B. No. 794 pass Second Reading and 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.B. No. 794, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," 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. 169) recommending that S.B. No. 887 pass Second Reading and 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.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT 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. 170) recommending that S.B. No. 888 pass Second Reading and 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.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," 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. 171) recommending that S.B. No. 889 pass Second Reading and 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.B. No. 889, 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. 172) recommending that S.B. No. 894 pass Second Reading and 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.B. No. 894, 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. 173) recommending that S.B. No. 897 pass Second Reading and 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.B. No. 897, 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. 174)

recommending that S.B. No. 900 pass Second Reading and 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.B. No. 900, entitled: "A BILL FOR AN ACT RELATING TO 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. 175) recommending that S.B. No. 901, as amended in S.D. 1, pass Second Reading and 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.B. No. 901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," 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. 176) recommending that S.B. No. 902 pass Second Reading and 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.B. No. 902, entitled: "A BILL FOR AN ACT RELATING TO RECORDS MANAGEMENT SERVICES," 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. 177) recommending that S.B. No. 1016, as amended in S.D. 1, pass Second Reading and 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.B. No. 1016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," 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. 178) recommending that S.B. No. 1511 pass Second Reading and 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.B. No. 1511, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIFORM LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 1139, S.D. 1:

By unanimous consent, action on S.B. No. 1139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was deferred until Friday, February 19, 1999.

S.B. No. 1143:

By unanimous consent, action on S.B. No. 1143, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was deferred until Friday, February 19, 1999.

S.B. No. 1270:

By unanimous consent, action on S.B. No. 1270, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, February 19, 1999.

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 1265	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 1292	Committee on Ways and Means
No. 1462	Jointly to the Committee on Judiciary and the Committee on Ways and Means

At 11:59 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.

Senator D. Ige, for the Committee on Education and Technology, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 106, and the Chair granted the waiver.

At 12:03 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 Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:00 o'clock p.m., Friday, February 19, 1999.

TWENTY-FIRST DAY

Friday, February 19, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 6:10 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Mrs. Marilyn Chinen, Senate Majority Office, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Tanaka who were excused.

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

Senator Chumbley introduced William "Bill" Kresnak, Capitol Bureau Chief for The Honolulu Advertiser, and commended him for his long and faithful service as a member of Hawaii's media for nearly 18 years. Accompanying Mr. Kresnak was his wife, Sheryll, and Jim Gatti, Editor of The Honolulu Advertiser.

At 6:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:25 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 203, submitting for consideration and confirmation as Director of Environmental Quality Control, the nomination of GENEVIEVE SALMONSON, terms to expire June 30, 1999 and June 30, 2003, was read by the Clerk and was referred to the Committee on Labor and Environment.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 41 to 44) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 41 "SENATE CONCURRENT RESOLUTION DECLARING THIS STATE'S SOVEREIGNTY UNDER THE UNITED STATES CONSTITUTION AND DEMANDING THAT THE FEDERAL GOVERNMENT STOP MANDATES THAT ARE BEYOND ITS POWERS."

Offered by: Senator Tam.

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

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SUN PROTECTION POLICY FOR ELEMENTARY SCHOOL CHILDREN AND A FEASIBILITY STUDY ON REQUIRING SCHOOL CHILDREN TO WEAR PROTECTIVE SUN SCREEN HEADGEAR."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 43 "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII."

Offered by: Senator Kawamoto.

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

No. 44 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE SCHOOL COUNSELORS FOR EACH ADULT EDUCATION PROGRAM."

Offered by: Senators Kawamoto, Bunda, D. Ige, Iwase, Kanno, Sakamoto, Tam.

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 19 to 24) were read by the Clerk and were referred to committees:

Senate Resolution

No. 19 "SENATE RESOLUTION DECLARING THIS STATE'S SOVEREIGNTY UNDER THE UNITED STATES CONSTITUTION AND DEMANDING THAT THE FEDERAL GOVERNMENT STOP MANDATES THAT ARE BEYOND ITS POWERS."

Offered by: Senator Tam.

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

No. 20 "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A SUN PROTECTION POLICY FOR ELEMENTARY SCHOOL CHILDREN AND A FEASIBILITY STUDY ON REQUIRING SCHOOL CHILDREN TO WEAR PROTECTIVE SUN SCREEN HEADGEAR."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 21 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PHYSICAL EDUCATION PROGRAM FOR SPECIAL EDUCATION STUDENTS."

Offered by: Senator Tam.

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

No. 22 "SENATE RESOLUTION REQUESTING AN INVESTIGATION ON THE FULFILLMENT OF STATE OBLIGATIONS WITH RESPECT TO PUBLIC TRUST LANDS UNDER SECTION 5 OF THE ADMISSION ACT."

Offered by: Senator Tam.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 23 "SENATE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII."

Offered by: Senator Kawamoto.

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

No. 24 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE SCHOOL COUNSELORS FOR EACH ADULT EDUCATION PROGRAM."

Offered by: Senators Kawamoto, Bunda, D. Ige, Iwase, Kanno, Sakamoto, Tam.

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

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 461 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 461, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 568, as amended in S.D. 1, pass Second Reading and 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.B. No. 568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and 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. 181) recommending that S.B. No. 571, as amended in S.D. 1, pass Second Reading and 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.B. No. 571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," passed Second Reading and 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. 182) recommending that S.B. No. 1105 pass Second Reading and 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.B. No. 1105, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," passed Second Reading and 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. 183) recommending that S.B. No. 1146 pass Second Reading and 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.B. No.

1146, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 42, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 185) recommending that S.B. No. 453 pass Second Reading and 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.B. No. 453, entitled: "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES," passed Second Reading and 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. 186) recommending that S.B. No. 457 pass Second Reading and 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.B. No. 457, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and 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. 187) recommending that S.B. No. 466 pass Second Reading and 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.B. No. 466, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 188) recommending that S.B. No. 557 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 189) recommending that S.B. No. 558, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 558, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 190) recommending that S.B. No. 566 pass Second Reading and 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.B. No. 566, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 191) recommending that S.B. No. 569 pass Second Reading and 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.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and 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. 192) recommending that S.B. No. 693, as amended in S.D. 1, pass Second Reading and 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.B. No. 693, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO AID EFFICIENT MANAGEMENT OF LAKE WILSON," passed Second Reading and 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. 193) recommending that S.B. No. 694, as amended in S.D. 1, pass Second Reading and 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.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS FOR THE KAENA POINT COASTAL RESERVE," passed Second Reading and 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. 194) recommending that S.B. No. 698, as amended in S.D. 1, pass Second Reading and 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.B. No. 698, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAIALUA-HALEIWA STORMWATER DRAINAGE MASTER PLAN," passed Second Reading and 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. 195) recommending that S.B. No. 978 pass Second Reading and 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.B. No. 978, entitled: "A BILL FOR AN ACT RELATING TO THE FOREST STEWARDSHIP PROGRAM," passed Second Reading and 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. 196) recommending that S.B. No. 1068, as amended in S.D. 1, pass Second Reading and 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.B. No. 1068, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 197) recommending that S.B. No. 1074 pass Second Reading and 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.B. No. 1074, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," passed Second Reading and 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. 198) recommending that S.B. No. 1080 pass Second Reading and 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.B. No. 1080, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 199) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 200) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1093, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," passed Second Reading and 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. 201) recommending that S.B. No. 1098 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1098, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No.

202) recommending that S.B. No. 1109, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 NOTICE OF BREACH OR DEFAULT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 203) recommending that S.B. No. 1198 pass Second Reading and 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.B. No. 1198, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE PROPERTY TO ESTABLISH A COMMUNITY CENTER FOR THE RESIDENTS OF THE WAI'ANAEO COAST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, 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. 204) recommending that S.B. No. 1215 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1215, entitled: "A BILL FOR AN ACT RELATING TO MARITIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, 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. 205) recommending that S.B. No. 1356, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPROVEMENT OF WATER SOURCE STORAGE FOR THE KULA WATER SYSTEM ON THE ISLAND OF MAUI," passed Second Reading and 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. 206) recommending that S.B. No. 1428, as amended in S.D. 1, pass Second Reading and 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.B. No. 1428, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED IMPROVEMENT PROJECT," passed Second Reading and 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. 207) 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 Chun, 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 MAKING AN APPROPRIATION TO FUND A COMMUNITY MAPPING PROJECT FOR WAIALUA, O'AHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 208) recommending that S.B. No. 33 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 209) recommending that S.B. No. 737, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Health and Human Services.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 737, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Health and Human Services.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 210) recommending that S.B. No. 803 pass Second Reading and 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.B. No. 803, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE RESTRUCTURING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 211) recommending that S.B. No. 1024, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1024, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 212) recommending that S.B. No. 1039 pass Second Reading and 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.B. No. 1039, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 213) recommending that S.B. No. 1042 pass Second Reading and 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.B. No. 1042, entitled: "A BILL FOR AN ACT RELATING TO THE RECRUITMENT OF EMPLOYEES FOR STATE SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 214) recommending that S.B. No. 1494 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1494, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MICONIA ERADICATION PROGRAM IN THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 215) recommending that S.B. No. 1563, as amended in S.D. 1, pass Second Reading and 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.B. No. 1563, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL FULL-TIME VOCATIONAL REHABILITATION SPECIALIST POSITIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 216) recommending that S.B. No. 4, as amended in S.D. 1, pass Second Reading and 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.B. No. 4, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 217) recommending that S.B. No. 646, as amended in S.D. 1, pass Second Reading and 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.B. No. 646, 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.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 218) recommending that S.B. No. 876, as amended in S.D. 1, pass Second Reading and 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.B. No. 876, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 219) recommending that S.B. No. 1069, as amended in S.D. 1, pass Second Reading and 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.B. No.

1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 220) recommending that S.B. No. 1070, as amended in S.D. 1, pass Second Reading and 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.B. No. 1070, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 221) recommending that S.B. No. 1076 pass Second Reading and 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.B. No. 1076, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 222) recommending that S.B. No. 1518 pass Second Reading and 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.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 223) recommending that S.B. No. 1101 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1101, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 224) recommending that S.B. No. 1391 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1391, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT AND PROCUREMENT FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 225) recommending that S.B. No. 1466, as amended in S.D. 1, pass Second Reading and 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.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

STATE RISK MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 226) recommending that S.B. No. 1626, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 227) recommending that S.B. No. 211, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 211, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 228) recommending that S.B. No. 1281, as amended in S.D. 1, pass Second Reading and 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.B. No. 1281, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 229) recommending that S.B. No. 1282, as amended in S.D. 1, pass Second Reading and 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.B. No. 1282, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 230) recommending that S.B. No. 521, as amended in S.D. 1, pass Second Reading and 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.B. No. 521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BROWN TREE SNAKE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 231) recommending that S.B. No. 576, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 232) recommending that S.B. No. 784 pass Second Reading and 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.B. No. 784, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIG ISLAND PAPAYA INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 233) recommending that S.B. No. 1062 pass Second Reading and 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.B. No. 1062, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARK LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 234) recommending that S.B. No. 1220 pass Second Reading and 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.B. No. 1220, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 235) recommending that S.B. No. 1613 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1613, entitled: "A BILL FOR AN ACT RELATING TO HUNTING AND TOURISM," passed Second Reading and 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. 236) recommending that S.B. No. 18, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 RELATING TO SOCIAL SECURITY NUMBERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 237) recommending that S.B. No. 27 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com.

Rep. No. 238) recommending that S.B. No. 627 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 627, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 239) recommending that S.B. No. 661, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 240) recommending that S.B. No. 674, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 674, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 241) recommending that S.B. No. 675, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR'S LICENSES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 242) recommending that S.B. No. 700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, 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 LOW-SPEED VEHICLES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 243) recommending that S.B. No. 703, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 703, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 244) recommending that S.B. No. 709, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 245) recommending that S.B. No. 751, as amended in S.D. 1, pass Second Reading and 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.B. No. 751, S.D. 1, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 246) recommending that S.B. No. 946 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 247) recommending that S.B. No. 1002, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1002, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 248) recommending that S.B. No. 1397 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1397, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 249) recommending that S.B. No. 1403 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 250) recommending that S.B. No. 1430, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

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

1430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 251) recommending that S.B. No. 1441, as amended in S.D. 1, pass Second Reading and 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.B. No. 1441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and 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. 252) recommending that S.B. No. 1481, as amended in S.D. 1, pass Second Reading and 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.B. No. 1481, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 253) recommending that S.B. No. 1556, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1556, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 254) recommending that S.B. No. 1557 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1557, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 255) 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 Chun, 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 CRIME," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 256) recommending that S.B. No. 1642, as amended in S.D. 1, pass Second Reading and 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.B. No. 1642, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRANCHISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 257) recommending that S.B. No. 119, as amended in S.D. 1, pass Second Reading and 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.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS, MAINTENANCE, AND IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 258) recommending that S.B. No. 553 pass Second Reading and 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.B. No. 553, entitled: "A BILL FOR AN ACT RELATING TO THE OKINAWAN CENTENNIAL CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 259) recommending that S.B. No. 577, as amended in S.D. 1, pass Second Reading and 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.B. No. 577, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 260) 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 Chun, 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 THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 261) recommending that S.B. No. 1009 pass Second Reading and 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.B. No. 1009, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 262) recommending that S.B. No. 1138, as amended in S.D. 1, pass Second Reading and 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.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 263) recommending that S.B. No. 1156, as amended in S.D. 1, pass Second Reading and 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.B. No. 1156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 264) recommending that S.B. No. 1157, as amended in S.D. 1, pass Second Reading and 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.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 265) 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 Chun, 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 THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Hanabusa, for the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 266) recommending that S.B. No. 1233 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1233, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No. 1465, as amended in S.D. 1, pass Second Reading and 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.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 268) recommending that S.B. No. 1641, as amended in S.D. 1, pass

Second Reading and 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.B. No. 1641, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 269) recommending that S.B. No. 3, as amended in S.D. 1, pass Second Reading and 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.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REAL ESTATE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 34 pass Second Reading and 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.B. No. 34, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 271) recommending that S.B. No. 491 pass Second Reading and 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.B. No. 491, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 272) recommending that S.B. No. 1072 pass Second Reading and 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.B. No. 1072, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 273) recommending that S.B. No. 1099 pass Second Reading and 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.B. No. 1099, entitled: "A BILL FOR AN ACT RELATING TO THE COASTAL AREAS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 274) recommending that S.B. No. 1607, as amended in S.D. 1, pass Second Reading and 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.B. No. 1607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 275) recommending that S.B. No. 37 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 37, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN LANGUAGE EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Tam, 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. 276) recommending that S.B. No. 98, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 98, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KIKALAKEOKEA SELF HELP PROJECT," passed Second Reading and 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. 277) recommending that S.B. No. 567 pass Second Reading and 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.B. No. 567, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 278) recommending that S.B. No. 580 pass Second Reading and 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.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO PROJECT FAITH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 279) recommending that S.B. No. 1495, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1495, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HAWAIIAN CULTURAL ENTREPRENEURIAL SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 280)

recommending that S.B. No. 570 pass Second Reading and 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.B. No. 570, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 281) recommending that S.B. No. 1059 pass Second Reading and 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.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 282) recommending that S.B. No. 1078, as amended in S.D. 1, pass Second Reading and 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.B. No. 1078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and 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. 283) recommending that S.B. No. 31, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL CONCENTRATION LEVELS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 284) recommending that S.B. No. 531, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 531, 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.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 285) recommending that S.B. No. 973, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 973, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 286) recommending that S.B. No. 43, as amended in S.D. 1, pass Second Reading and 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.B. No. 43, 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.

Senator D. Ige, jointly with Senators Fukunaga and Levin, for the Committee on Education and Technology and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 287) recommending that S.B. No. 539, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senator Hanabusa, for the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 288) recommending that S.B. No. 1232, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 289) 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 Chun, 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 MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Kanno and Taniguchi, for the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 290) recommending that S.B. No. 1320, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 291) recommending that S.B. No. 1639 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1639, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 292) recommending that S.B. No. 45 pass Second Reading and 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.B. No. 45, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 293) recommending that S.B. No. 153, as amended in S.D. 1, pass Second Reading and 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.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 294) recommending that S.B. No. 189, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 295) recommending that S.B. No. 820, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 820, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 296) recommending that S.B. No. 1046, as amended in S.D. 1, pass Second Reading and 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.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 297) recommending that S.B. No. 1150, as amended in S.D. 1, pass Second Reading and 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.B. No. 1150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 298) recommending that S.B. No. 1429, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, 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 WASTEWATER TREATMENT FACILITIES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 299) recommending that S.B. No. 1574 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 300) recommending that S.B. No. 1468, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1468, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 301) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and 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. 302) recommending that S.B. No. 1298, as amended in S.D. 1, pass Second Reading and 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.B. No. 1298, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 303) recommending that S.B. No. 1125 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1125, 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 Monday, February 22, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 304) recommending that S.B. No. 1144, as amended in S.D. 1, pass Second Reading and 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.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Second Reading and 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. 305) recommending that S.B. No. 1212, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 306) recommending that S.B. No. 744 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 744, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 307) recommending that S.B. No. 759, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Hanabusa, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 308) recommending that S.B. No. 1097, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1097, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIMBER MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 309) recommending that S.B. No. 1323, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1323, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTERS DEFERRED FROM THURSDAY, FEBRUARY 18, 1999

THIRD READING

S.B. No. 1139, S.D. 1:

On motion by Senator Kanno, seconded by Senator Bunda and carried, S.B. No. 1139, 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, 22. Noes, none. Excused, 3 (Anderson, Tanaka, Taniguchi).

S.B. No. 1143:

On motion by Senator Kanno, seconded by Senator Bunda and carried, S.B. No. 1143, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Tanaka, Taniguchi).

Stand. Com. Rep. No. 116 (S.B. No. 1270):

By unanimous consent, Stand Com. Rep. No. 116 and S.B. No. 1270, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were recommitted to the Committee on Education and Technology.

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 635	Jointly to the Committee on Labor and Environment and the Committee on Judiciary
No. 677	Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs
No. 1230	Jointly to the Committee on Health and Human Services and the Committee on Judiciary
No. 1623	Committee on Ways and Means

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for S.B. No. 17, and the Chair granted the waiver.

Senator Iwase rose on a point of personal privilege and said:

"Mr. President, I'm rising on a point of personal privilege.

"Mr. President, I'd like to express some comments about an article which appeared in this morning's newspaper, Section B, written by Mr. Kresnak who's no longer with us. But it's titled a 'Major tax overhaul not likely,' and in it, it quotes the Senate as saying that major tax initiatives are not likely to pass in the Senate and that the Senate's priorities would be 'to determine which state services are essential and to underwrite retroactive pay raises to government employees.'

"Mr. President, I can agree with the sentiments expressed with respect to which state services are essential, and matters relating to retroactive pay, relating to down-sizing government, because it is important when we talked about, in the beginning of this session, the economy and the actions which must be taken by the Legislature to send a message to those who would come to Hawaii that this is a business-friendly state, that we will undertake reforms, that we recognize problems. Reducing government expenditures is one. But I think it is also very important that we undertake tax reform if we are to send a message that this State is willing to undertake major reforms to improve the business climate and to improve the State's image.

"And while there may be issues relating to the House bill -- the sales tax, eliminating the personal income tax, which by the way, I think, would result in double digit sales tax cost to the public -- I think that we have to initiate and look at proposals. There is Senate bill 502 which relates to the value added tax. It is one which phases in tax reform but it does seek an end goal of eliminating the GET. Eliminating the GET would eliminate the pyramiding issue and it phases this whole process out to the year 2002 and allows the Department of Taxation direct input in drafting the bill, in looking at whether it's necessary.

"But I hope that as we move along (this is a single referral bill) that the Senate would not be foreclosed from looking at major tax reforms, particularly the GET, with the hope and the goal of eliminating the GET and also with the hope and the goal of establishing a fair tax system in a service industry oriented economy, in contrast to a manufacturing industry oriented economy. We are no longer a manufacturing economy. We are a service economy, and our tax base must reflect that.

"Thank you, Mr. President."

STANDING COMMITTEE REPORTS

On motion by Senator Chun, 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 Senate further authorized the adoption of standing committee reports recommending that Senate bills be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 6:31 o'clock p.m., the Senate took the following actions on the following bills and standing committee reports:

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 310) recommending that S.B. No. 780 pass Second Reading and 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.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 311) recommending that S.B. No. 791, as amended in S.D. 1, pass Second Reading and 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.B. No. 791, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 312) recommending that S.B. No. 1126 pass Second Reading and 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.B. No. 1126, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 313) recommending that S.B. No. 1130 pass Second Reading and 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.B. No. 1130, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 314) recommending that S.B. No. 1261 pass Second Reading and 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.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 315) recommending that S.B. No. 650, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 316) recommending that S.B. No. 834, as amended in S.D. 1, pass Second Reading and 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.B. No. 834, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 317) recommending that S.B. No. 1124, as amended in S.D. 1, pass Second Reading and 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.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Hanabusa, for the Committee on Commerce and Consumer Protection and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 318) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1314, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 319) recommending that S.B. No. 1622, as amended in S.D. 1, pass Second Reading and 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.B. No. 1622, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 320) recommending that S.B. No. 39 pass Second Reading and 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.B. No. 39, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 321) recommending that S.B. No. 366 pass Second Reading and 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.B. No. 366, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 322) recommending that S.B. No. 1102, as amended in S.D. 1, pass Second Reading and 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.B. No. 1102, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 323) recommending that S.B. No. 1288 pass Second Reading and 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.B. No. 1288, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 324) recommending that S.B. No. 1290 pass Second Reading and 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.B. No. 1290, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 325) recommending that S.B. No. 227, as amended in S.D. 1, pass Second Reading and 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.B. No. 227, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 326) recommending that S.B. No. 1088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, jointly with Senator Chun Oakland, for the Committee on Economic Development and the Committee on Health and Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 327) recommending that S.B. No. 1564 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1564, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, 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. 328) recommending that S.B. No. 1612, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1612, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE

FEASIBILITY OF CREATING A LOOKOUT AT WAIMEA BAY ON KAMEHAMEHA HIGHWAY ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 329) recommending that S.B. No. 285, 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.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 330) recommending that S.B. No. 290, S.D. 1, as amended in S.D. 2, 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.B. No. 290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 331) recommending that S.B. No. 38, as amended in S.D. 1, pass Second Reading and 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.B. No. 38, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUAL STATE AND COUNTY GOVERNMENT FINANCIAL AUDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 332) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1005, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 333) recommending that S.B. No. 63, as amended in S.D. 1, pass Second Reading and 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.B. No. 63, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 334) recommending that S.B. No. 235, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, jointly with Senators Kanno and Taniguchi, for the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 335) recommending that S.B. No. 1336 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE INCOME TAX DEDUCTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 336) recommending that S.B. No. 46, as amended in S.D. 1, pass Second Reading and 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.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 337) recommending that S.B. No. 533, as amended in S.D. 1, pass Second Reading and 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.B. No. 533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD ASSESSMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 338) recommending that S.B. No. 951, as amended in S.D. 1, pass Second Reading and 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.B. No. 951, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 339) 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 Chun, 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 SCHOOL ATTENDANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 340) recommending that S.B. No. 1501, as amended in S.D. 1, pass Second Reading and 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.B. No. 1501, 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 Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 341) recommending that S.B. No. 193, as amended in S.D. 1, pass Second Reading and 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.B. No. 193, 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. 342) recommending that S.B. No. 598, as amended in S.D. 1, pass Second Reading and 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.B. No. 598, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DOMESTIC VIOLENCE SERVICES," 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. 343) recommending that S.B. No. 634 pass Second Reading and 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.B. No. 634, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS," 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. 344) recommending that S.B. No. 899, as amended in S.D. 1, pass Second Reading and 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.B. No. 899, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," 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. 345) recommending that S.B. No. 904 pass Second Reading and 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.B. No. 904, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING 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. 346) recommending that S.B. No. 1104, as amended in S.D. 1, pass Second Reading and 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.B. No. 1104, 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. 347) recommending that S.B. No. 1106, as amended in S.D. 1, pass Second Reading and 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.B. No. 1106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 348) recommending that S.B. No. 1108, as amended in S.D. 1, pass Second Reading and 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.B. No. 1108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE JUDGMENT LIENS," 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. 349) recommending that S.B. No. 1267, as amended in S.D. 1, pass Second Reading and 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.B. No. 1267, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senators Kanno and Taniguchi, for the Committee on Judiciary and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 350) recommending that S.B. No. 1345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," passed Second Reading and 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. 351) recommending that S.B. No. 348, S.D. 1, as amended in S.D. 2, 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.B. No. 348, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 352) recommending that S.B. No. 173, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 173, 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.

Senator Nakata, jointly with Senator Hanabusa, for the Committee on Labor and Environment and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 353) recommending that S.B. No. 516, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 516, 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.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 354) recommending that S.B. No. 798, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 798, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Inouye and Senator Hanabusa, for the Committee on Labor and Environment, the Committee on Economic Development, and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 355) recommending that S.B. No. 953, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Tam, for the Committee on Labor and Environment and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 356) recommending that S.B. No. 1153 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 357) recommending that S.B. No. 1275, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 358) recommending that S.B. No. 1475 pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1475, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 359) recommending that S.B. No. 1638, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1638, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 360) recommending that S.B. No. 106, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 361) recommending that S.B. No. 673, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 673, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD YOUTH CHALLENGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 362) recommending that S.B. No. 826, as amended in S.D. 1, pass Second Reading and 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.B. No. 826, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and Technology and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 363) recommending that S.B. No. 1274 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1274, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and Technology and the Committee on Judiciary, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 364) recommending that S.B. No. 1313, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE GOVERNMENT BASED ON YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye and Senator Nakata, for the Committee on Education and Technology, the Committee on Economic Development and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 365) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1583, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senators Chumbley and Matsunaga, for the Committee on Labor and Environment and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 366) recommending that S.B. No. 895, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT SHORTAGE CATEGORY DECLARATION FOR PERSONNEL IN THE JUDICIARY IN THE STATE OF HAWAII," passed Second Reading and 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. 367) 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 Chun, 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 TAXATION," passed Second Reading and 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. 368) recommending that S.B. No. 658, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 658, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senator Chun Oakland, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 369)

recommending that S.B. No. 1385, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1385, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 370) recommending that S.B. No. 215 pass Second Reading and 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.B. No. 215, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 371) recommending that S.B. No. 1136, as amended in S.D. 1, pass Second Reading and 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.B. No. 1136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 372) recommending that S.B. No. 1137 pass Second Reading and 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.B. No. 1137, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 373) recommending that S.B. No. 1326 pass Second Reading and 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.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 374) recommending that S.B. No. 1544, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1544, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 375) recommending that S.B. No. 364, as amended in S.D. 1, pass Second Reading and 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.B. No. 364, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 376) recommending that S.B. No. 485, as amended in S.D. 1, pass Second Reading and 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.B. No. 485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 377) recommending that S.B. No. 613, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 378) recommending that S.B. No. 778, as amended in S.D. 1, pass Second Reading and 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.B. No. 778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 379) recommending that S.B. No. 947, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 TELEMARKETING FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 380) recommending that S.B. No. 1128, as amended in S.D. 1, pass Second Reading and 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.B. No. 1128, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 381) recommending that S.B. No. 1131 pass

Second Reading and 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.B. No. 1131, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 382) recommending that S.B. No. 1133 pass Second Reading and 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.B. No. 1133, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 383) recommending that S.B. No. 1279, as amended in S.D. 1, pass Second Reading and 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.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 384) recommending that S.B. No. 1472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 385) recommending that S.B. No. 191, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 191, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Hanabusa, for the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 386) recommending that S.B. No. 456, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 456, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a joint report (Stand.

Com. Rep. No. 387) recommending that S.B. No. 743, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 743, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN EARLY CHILDHOOD EDUCATION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 388) recommending that S.B. No. 36, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 36, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 389) recommending that S.B. No. 105 pass Second Reading and 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.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO REFORM OF STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 390) recommending that S.B. No. 450, as amended in S.D. 1, pass Second Reading and 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.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 391) recommending that S.B. No. 797, as amended in S.D. 1, pass Second Reading and 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.B. No. 797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, jointly with Senator Kawamoto, for the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 392) recommending that S.B. No. 1073, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1073, 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 and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 393)

recommending that S.B. No. 1100, as amended in S.D. 1, pass Second Reading and 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.B. No. 1100, 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.

Senator Tam, jointly with Senator Nakata and Senator Kawamoto, for the Committee on Government Operations and Housing, the Committee on Labor and Environment, and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 394) recommending that S.B. No. 1438, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCUREMENT," passed Second Reading and 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. 395) recommending that S.B. No. 35 pass Second Reading and 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.B. No. 35, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE," passed Second Reading and 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. 396) recommending that S.B. No. 952, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 THE HAWAIIAN HOMES COMMISSION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 397) recommending that S.B. No. 1303, as amended in S.D. 1, pass Second Reading and 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.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and 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. 398) recommending that S.B. No. 1635, as amended in S.D. 1, pass Second Reading and 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.B. No. 1635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 399) recommending that S.B. No. 194, as amended in S.D. 1, pass Second Reading and 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.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 400) recommending that S.B. No. 528, as amended in S.D. 1, pass Second Reading and 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.B. No. 528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 401) recommending that S.B. No. 651, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 651, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 402) recommending that S.B. No. 656, as amended in S.D. 1, pass Second Reading and 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.B. No. 656, 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 Kanno and Taniguchi, jointly with Senator Nakata, for the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 403) recommending that S.B. No. 792, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 792, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 404) recommending that S.B. No. 813, as amended in S.D. 1, pass Second Reading and 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.B. No. 813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY IN SERVING THE

GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 405) recommending that S.B. No. 957, as amended in S.D. 1, pass Second Reading and 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.B. No. 957, S.D. 1, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 406) recommending that S.B. No. 970 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 970, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 407) recommending that S.B. No. 1127, as amended in S.D. 1, pass Second Reading and 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.B. No. 1127, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 408) recommending that S.B. No. 1145, as amended in S.D. 1, pass Second Reading and 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.B. No. 1145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 409) recommending that S.B. No. 1160, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1160, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 410) recommending that S.B. No. 1176 pass Second Reading and 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.B. No. 1176, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LICENSING OF SINGLE-MEMBER LIMITED LIABILITY COMPANIES," passed

Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 411) recommending that S.B. No. 1452 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1452, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Inouye, for the Committee on Commerce and Consumer Protection and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 412) recommending that S.B. No. 1513, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 413) 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 Chun, 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 MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 414) recommending that S.B. No. 236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 415) recommending that S.B. No. 509, as amended in S.D. 1, pass Second Reading and 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.B. No. 509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 416) recommending that S.B. No. 746 pass Second Reading and 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.B. No. 746, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 417) recommending that S.B. No. 777, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 777, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 418) recommending that S.B. No. 828 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 828, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 419) recommending that S.B. No. 948 pass Second Reading and 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.B. No. 948, 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.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 420) recommending that S.B. No. 1129, as amended in S.D. 1, pass Second Reading and 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.B. No. 1129, 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 Kanno and Taniguchi, jointly with Senator D. Ige, for the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 421) recommending that S.B. No. 1238, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 422) 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 Chun, 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 THE PUBLIC EMPLOYEES HEALTH FUND," passed

Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 423) recommending that S.B. No. 1294 pass Second Reading and 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.B. No. 1294, 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.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 424) recommending that S.B. No. 1235, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 425) 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 Chun, 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 MAKING AN APPROPRIATION FOR THE REHABILITATION OF MEMBERS OF YOUTH GANGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 426) recommending that S.B. No. 47 pass Second Reading and 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.B. No. 47, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 427) recommending that S.B. No. 1196 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1196, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT KING INTERMEDIATE SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 428) recommending that S.B. No. 601, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 429) recommending that S.B. No. 1052, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1052, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 430) recommending that S.B. No. 159, as amended in S.D. 1, pass Second Reading and 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.B. No. 159, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 431) recommending that S.B. No. 217 pass Second Reading and 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.B. No. 217, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER, HEALTH AND WELLNESS CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 432) recommending that S.B. No. 175, as amended in S.D. 1, pass Second Reading and 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.B. No. 175, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 433) recommending that S.B. No. 178 pass Second Reading and 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.B. No. 178, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTHY START," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 434) recommending that S.B. No. 103 pass Second Reading and 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.B. No. 103, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS TO IMPLEMENT THE KA'U RURAL HEALTH PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 435) recommending that S.B. No. 579, as amended in S.D. 1, pass Second Reading and 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.B. No. 579, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DIALYSIS MACHINE FOR PATIENTS' OF THE HAWAII HEALTH SYSTEMS CORPORATION RESIDING ON MOLOKAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 436) recommending that S.B. No. 1197, as amended in S.D. 1, pass Second Reading and 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.B. No. 1197, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANA' COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 437) recommending that S.B. No. 1231, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE," passed Second Reading and was referred to the Committee on Labor and Environment.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 438) recommending that S.B. No. 104 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 439) recommending that S.B. No. 513, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

440) recommending that S.B. No. 856, as amended in S.D. 1, pass Second Reading and 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.B. No. 856, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 441) recommending that S.B. No. 1609 pass Second Reading and 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.B. No. 1609, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 442) recommending that S.B. No. 824 pass Second Reading and 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.B. No. 824, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPOROSIS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 443) recommending that S.B. No. 1049, as amended in S.D. 1, pass Second Reading and 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.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 444) recommending that S.B. No. 395, as amended in S.D. 1, pass Second Reading and 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.B. No. 395, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 445) recommending that S.B. No. 853 pass Second Reading and 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.B. No. 853, entitled: "A BILL FOR AN ACT RELATING TO SAFETY NET HEALTH PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 446) recommending that S.B. No. 398 pass Second Reading and 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.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 447) recommending that S.B. No. 120 pass Second Reading and 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.B. No. 120, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI FOOD BANK, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 448) recommending that S.B. No. 994, as amended in S.D. 1, pass Second Reading and 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.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPENDENT ADULT AND ELDER ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 449) recommending that S.B. No. 1257 pass Second Reading and 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.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 450) recommending that S.B. No. 228 pass Second Reading and 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.B. No. 228, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH MAUI FOOD BANK, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 451) 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 Chun, 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 RELATING TO THE DEAF AND BLIND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 452) recommending that S.B. No. 1057 pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION,"

passed Second Reading and was referred to the Committee on Labor and Environment.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 453) recommending that S.B. No. 838 pass Second Reading and 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.B. No. 838, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 454) recommending that S.B. No. 1504 pass Second Reading and 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.B. No. 1504, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 455) 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 Chun, 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 RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 456) recommending that S.B. No. 102, as amended in S.D. 1, pass Second Reading and 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.B. No. 102, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 457) 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 Chun, 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 TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 458) recommending that S.B. No. 1033 pass Second Reading and 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.B. No. 1033, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 459) recommending that S.B. No. 1051, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1051, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 460) recommending that S.B. No. 1050, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 461) recommending that S.B. No. 170, as amended in S.D. 1, pass Second Reading and 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.B. No. 170, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NEEDS AND RIGHTS OF CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 462) recommending that S.B. No. 1020, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1020, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 463) recommending that S.B. No. 1499, as amended in S.D. 1, pass Second Reading and 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.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 464) recommending that S.B. No. 128, as amended in S.D. 1, pass Second Reading and 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.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A LONG TERM CARE

VOLUNTEER OMBUDSMAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Tam, for the Committee on Health and Human Services and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 465) recommending that S.B. No. 394, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 394, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 466) recommending that S.B. No. 393 pass Second Reading and 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.B. No. 393, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 467) recommending that S.B. No. 1053 pass Second Reading and 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.B. No. 1053, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 468) recommending that S.B. No. 855 pass Second Reading and 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.B. No. 855, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 469) recommending that S.B. No. 861, as amended in S.D. 1, pass Second Reading and 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.B. No. 861, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 470) 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 Chun, 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 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 471) recommending that S.B. No. 1022, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1022, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 472) recommending that S.B. No. 233, as amended in S.D. 1, pass Second Reading and 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.B. No. 233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STUDY OF LATEX PRODUCTS IN HAWAII BY THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 473) recommending that S.B. No. 818, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 474) recommending that S.B. No. 837 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 837, entitled: "A BILL FOR AN ACT RELATING TO MANAGED HEALTH CARE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 475) recommending that S.B. No. 822, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 822, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 476) recommending that S.B. No. 1028, as amended in S.D. 1, pass Second Reading and 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.B. No. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

VITAL RECORD FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 477) recommending that S.B. No. 1035 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1035, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 478) recommending that S.B. No. 1616 pass Second Reading and 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.B. No. 1616, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 479) recommending that S.B. No. 844, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, 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 HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 480) recommending that S.B. No. 489 pass Second Reading and 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.B. No. 489, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND AEROMEDICAL UNIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 481) recommending that S.B. No. 493 pass Second Reading and 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.B. No. 493, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS TO REIMBURSE THE HAWAII COUNTY FIRE DEPARTMENT FOR PROVISION OF EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 482) recommending that S.B. No. 992, as amended in S.D. 1, pass Second Reading and 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.B. No. 992, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 483) recommending that S.B. No. 1036, as amended in S.D. 1, pass Second Reading and 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.B. No. 1036, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 484) recommending that S.B. No. 802 pass Second Reading and 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.B. No. 802, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 485) recommending that S.B. No. 1031, as amended in S.D. 1, pass Second Reading and 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.B. No. 1031, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 486) recommending that S.B. No. 154 pass Second Reading and 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.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 487) recommending that S.B. No. 842 pass Second Reading and 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.B. No. 842, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE ADDITIONAL STATEWIDE COMMUNITY-BASED GATEKEEPER TRAINING FOR TEEN SUICIDE PREVENTION AND INTERVENTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 488) recommending that S.B. No. 157, as amended in S.D. 1, pass Second Reading and 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.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 489) recommending that S.B. No. 171, as amended in S.D. 1, pass Second Reading and 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.B. No. 171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE REFORM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 490) recommending that S.B. No. 1048, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1048, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 491) recommending that S.B. No. 1054 pass Second Reading and 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.B. No. 1054, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 492) recommending that S.B. No. 64 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 64, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, jointly with Senator Tam, for the Committee on Health and Human Services and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 493) recommending that S.B. No. 1006, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION OF GROUP LIVING HOUSING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 494) recommending that S.B. No. 788, as amended in S.D. 1, pass Second Reading and 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.B. No. 788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 495) recommending that S.B. No. 995, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AND DEPENDENT ADULTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 496) recommending that S.B. No. 817, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 497) recommending that S.B. No. 200 pass Second Reading and 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.B. No. 200, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 498) recommending that S.B. No. 825, as amended in S.D. 1, pass Second Reading and 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.B. No. 825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 499) recommending that S.B. No. 145, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 500) recommending that S.B. No. 1562, as amended in S.D. 1, pass Second Reading and 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.B. No.

1562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 501) recommending that S.B. No. 177, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 502) recommending that S.B. No. 131, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 131, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 503) recommending that S.B. No. 1542 pass Second Reading and 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.B. No. 1542, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 504) recommending that S.B. No. 717 pass Second Reading and 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.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 505) recommending that S.B. No. 166, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 506) recommending that S.B. No. 225 pass Second Reading and 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.B. No. 225, entitled: "A BILL FOR AN ACT RELATING TO AMBULANCE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 507) recommending that S.B. No. 779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 508) recommending that S.B. No. 180, as amended in S.D. 1, pass Second Reading and 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.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 509) recommending that S.B. No. 1058, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 510) recommending that S.B. No. 1496 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MEDICAL WASTE FACILITY PROJECT DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 511) 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 Chun, 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 FOR A DEMONSTRATION PROJECT FOR LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 512) recommending that S.B. No. 192, as amended in S.D. 1, pass Second Reading and 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.B. No. 192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 513) recommending that S.B. No. 149 pass Second Reading and 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.B. No. 149, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE CARE SERVICES FOR FAMILIES OF INDIVIDUALS WITH SPECIAL NEEDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 514) recommending that S.B. No. 190, as amended in S.D. 1, pass Second Reading and 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.B. No. 190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREGNANT WOMEN AND INFANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 515) recommending that S.B. No. 172 pass Second Reading and 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.B. No. 172, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 516) recommending that S.B. No. 176 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 176, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 517) recommending that S.B. No. 993, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABLED," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

518) recommending that S.B. No. 835, as amended in S.D. 1, pass Second Reading and 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.B. No. 835, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 519) recommending that S.B. No. 1610 pass Second Reading and 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.B. No. 1610, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 520) recommending that S.B. No. 1608 pass Second Reading and 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.B. No. 1608, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 521) recommending that S.B. No. 368 pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL PROPERTY OCCUPANCY," passed Second Reading and was referred to the Committee on Labor and Environment.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 522) recommending that S.B. No. 136, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 523) recommending that S.B. No. 851, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 851, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 524) recommending that S.B. No. 1055 pass Second Reading and 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.B. No. 1055, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 525) recommending that S.B. No. 174 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 174, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 526) recommending that S.B. No. 1577, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1577, 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.

Senator Chun Oakland, for the majority of the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 527) recommending that S.B. No. 862, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 862, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Monday, February 22, 1999.

TWENTY-SECOND DAY

Monday, February 22, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Stan Sundlie, Calvary Chapel of Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Inouye who was excused.

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

SENATE COMMUNICATION

Sen. Com. No. 1, notice to the Governor dated February 22, 1999, transmitting S.B. No. 539, S.D. 1, which proposes amendments to the Hawaii State Constitution, was read by Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"February 22, 1999

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 Senate Bill, a copy of which is attached hereto:

S.B. 539, S.D. 1
'PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY'

Respectfully,

/s/ Paul T. Kawaguchi
Paul T. Kawaguchi
Clerk of the Senate"

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 45) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 45 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO RESTORE REDRESS FUNDS TO COMPENSATE INDIVIDUALS OF JAPANESE ANCESTRY WHO WERE UNJUSTLY INTERNED DURING WORLD WAR II."

Offered by: Senators Matsunaga, Iwase, Matsuura, Fukunaga, Ihara, Buen, Bunda, Chumbley, Chun, Chun Oakland, Hanabusa, D. Ige, M. Ige, Inouye, Kanno, Kawamoto, Nakata, Sakamoto, Slom, Tam, Taniguchi.

SENATE RESOLUTION

The following resolution (S.R. No. 25) was read by the Clerk and was deferred:

Senate Resolution

No. 25 "SENATE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO RESTORE REDRESS FUNDS TO COMPENSATE INDIVIDUALS OF JAPANESE ANCESTRY WHO WERE UNJUSTLY INTERNED DURING WORLD WAR II."

Offered by: Senators Matsunaga, Iwase, Matsuura, Fukunaga, Ihara, Buen, Bunda, Chumbley, Chun, Chun Oakland, Hanabusa, D. Ige, M. Ige, Inouye, Kanno, Kawamoto, Nakata, Sakamoto, Slom, Tam, Taniguchi.

STANDING COMMITTEE REPORTS

Senator Kawamoto, 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. 528) recommending that S.B. No. 680, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 529) recommending that S.B. No. 1018, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Anderson 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 THE DRUG FORMULARY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 530) recommending that S.B. No. 1021 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1021, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 23, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 531) recommending that S.B. No. 1026 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1026, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 23, 1999.

At 11:38 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.

ORDER OF THE DAY

THIRD READING

S.B. No. 461:

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, S.B. No. 461, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Inouye).

S.B. No. 1098:

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, S.B. No. 1098, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 27:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1403:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1430, S.D. 1:

By unanimous consent, action on S.B. No. 1430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," was deferred until Tuesday, February 23, 1999.

S.B. No. 1125:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1125, 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, 23. Noes, none. Excused, 2 (Fukunaga, Inouye).

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I've been out for a couple of days, Mr. President, but I did receive the Governor's report dated Friday, February 19, on a news release that the Governor pursues high-tech and that they will be going to Silicon Valley. And accompanying the Governor is Senator David Ige, Representative Marcus Oshiro

who is the Vice Speaker of the House, Representative David Morihara who's chair of the House Committee on Higher Education, and Representative Hermina Morita who's chair of the House Committee on Energy and Environmental Protection.

"Mr. President, what I want to know is whatever happened to the post-election rhetoric of the Governor and the Senate about all working together for the common good. If I remember correctly the word used was 'collaboration.'

"The Governor's Friday news release lists the members of the delegation that he will lead to Silicon Valley, but guess what? Not one elected Republican is to be included -- not Senator Sam Slom who's not only the Minority Floor Leader but he's also a member of both of those committees, and not Representative Pendleton who's the House Minority Floor Leader, nor Representative Fox who happens to have the expertise in economic development. I would like to quote, Mr. President, from our former Senator Mary George. And in this regard, I quote:

'For a very long time Republican ideas have been put forward in this Legislature, some of them very good ideas, indeed. They have usually been unnoticed; a few have received modest committee hearings; an occasional proposal reaches the floor and is advanced to decent burial in the other chamber. Some few even became laws. A large number of them, in good Hawaiian tradition, were "hanai" by a Democrat parent and enfolded in a Democrat bill, promoted into law with its birth parentage forgotten.

'Mr. President, esteemed colleagues, the Minority is far more than what you see before you. Sometimes we speak for all the people who didn't vote for you in your districts; for all the people who disagree with you on any one of a great number of issues; for all the people who think they might have a better idea and feel they haven't gotten your attention.'

End of quote, Mr. President.

"Mr. President, regardless of what everybody feels or thinks, the people who voted for the few Minorities that are here, and I do say myself and Senator Slom, happen to be the highest ranking Republicans voted into office. We may not have the governorship, the mayorship or whatever (excuse me, I'm talking state), but we are the highest elected. And with 20 years and of 60-something years of age, 67, I'm also the oldest and the highest ranking because I'm the Minority Leader. And you seem to forget that, and so does the news media at times, and others. But we care about what's going on around here. And if you're going to have the Governor send down information like this, I believe that Senator Slom -- not just because he's the Senate Minority Floor Leader but because he sits on both of those committees -- is very well acquainted with higher education and economic development because he's involved in business. He should have been invited. And I think it's a shame that he wasn't.

"Far too often, Mr. President, we are not only forgotten, but we are blamed for objective partisanship. We are all here together and what we have to do is forget about partisanship. There's too few leaving this business world today to the people who don't understand what's going on. And I told you, the only partisanship that we have is people against government.

"I read your Majority package. It sounds good. It tells people we're going to do this and we're going to do that. You don't do a damn thing, primarily because you listen to others -- department heads and those people who have special interests. And most of us elected here have special interests. I don't give a damn what you say. You have special interests and you're concerned with those interests, and you put them first above the needs and what's happening to the people out there.

"Thank you very much for listening to me this morning. Thank you, Mr. President. I'm glad to be back."

The Chair responded:

"Thank you and welcome back."

At 11:51 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.

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 23, 1999.

TWENTY-THIRD DAY

Tuesday, February 23, 1999

THIRD READING

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Woodrow Yasuhara, District Superintendent of the Hawaii Assemblies of God and Associate Pastor of the First Assembly of God Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, D. Ige and Inouye who were excused.

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

At this time, Senator Matsunaga introduced Kenneth F. Brown in honor of his retirement as chairman of The Queen's Health Systems. Accompanying Mr. Brown were Richard Griffith, president and CEO of The Queen's Health Systems; and Connie Black, trustee of The Queen's Health Systems and Queen's Medical Center.

At 11:45 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. 204 to 208) were read by the Clerk and were placed on file:

Gov. Msg. No. 204, dated February 12, 1999, transmitting the 1998 Report of the Commission to Promote Uniform Legislation, Department of the Attorney General.

Gov. Msg. No. 205, dated February 16, 1999, transmitting the Foreign-Trade Zone No. 9 Annual 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 1998 (October 1, 1997 - September 30, 1998).

Gov. Msg. No. 206, dated February 17, 1999, transmitting a Status Report prepared by the Department of Human Services, Office of Youth Services, Hawaii Youth Correctional Facility, pursuant to Act 292, SLH 1998.

Gov. Msg. No. 207, dated February 17, 1999, transmitting the 1998 Annual Report prepared by the Department of Labor and Industrial Relations, pursuant to Section 371-7, HRS.

Gov. Msg. No. 208, dated February 23, 1999, transmitting a report prepared by the Department of Business, Economic Development and Tourism, Housing and Community Development Corporation of Hawaii, pursuant to Act 170, SLH 1998, relating to the conveyance tax.

ORDER OF THE DAY

MATTER DEFERRED FROM MONDAY, FEBRUARY 22, 1999

THIRD READING

S.B. No. 1430, S.D. 1:

By unanimous consent, S.B. No. 1430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," was recommitted to the Committee on Transportation and Intergovernmental Affairs.

S.B. No. 1021:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 1021, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, D. Ige, Inouye, Tanaka).

S.B. No. 1026:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 1026, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, D. Ige, Inouye, Tanaka).

REFERRAL OF SENATE CONCURRENT RESOLUTION

The President made the following committee assignment of a concurrent resolution that was offered on Monday, February 22, 1999:

Senate Concurrent Resolution	Referred to:
No. 45	Committee on Transportation and Intergovernmental Affairs

REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Monday, February 22, 1999:

Senate Resolution	Referred to:
No. 25	Committee on Transportation and Intergovernmental Affairs

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 513, S.D. 1	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
No. 1032	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1034	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1229	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1301	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means

No. 1302 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means

No. 1469 Jointly to the Committee on Judiciary and the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate
Concurrent
Resolution Referred to:

No. 38 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 39 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following resolutions that were offered:

Senate
Resolution Referred to:

No. 16 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 17 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

Senator Slom rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I notice, by news accounts, that our Governor has distinguished himself at the recently concluded National Governors' Conference, distinguished himself in threatening that if the states do not get the vaunted settlement from the tobacco money -- approximately \$206 billion, of which \$1 billion is supposed to come to the Hawaii over 25 years -- that he and other governors might be compelled to file suit against the federal government.

"You know, Mr. President, I think that the population is growing weary. They hear all our speeches. They hear us talk about how we're concerned about young people, how we're concerned about everybody else. But when all is said and done, what we're doing is fighting over money. And we're fighting over which group of lawyers is going to get most of the money.

"The idea is not where the money is going to go but whether it's going to go to the federal government or to the state government, whether it's going to go to this attorney or that attorney. And I think we've lost sight of the fact of what this settlement was supposed to be for. We're even talking here about taking the primary share of the proceeds -- when and if we get any of that money -- to have a rainy day fund, and then as an after-thought, to be used for youth education programs and non-smoking programs.

"We've got to get our priorities right. We've got to start thinking about what is the right thing to do, rather than who's going to get the money, and who's going to get the credit.

"So I think that this is the message -- rather than talking about how we're going to sue people further, because so far the only people that I think have benefited from this largesse have been the attorneys in the first place, I think it's something that all of us should bear in mind.

"Thank you, Mr. President."

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 600, 612, 926 and 1106, and the Chair granted the waiver.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

STANDING COMMITTEE REPORT

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of Stand. Com. Rep. No. 532, recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means. In consequence thereof and subsequent to its recessing at 11:59 o'clock a.m., the Senate took the following action:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 532) recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be recommitted 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.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was recommitted to the Committee on Ways and Means.

ADJOURNMENT

At 11:59 o'clock a.m., the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 3, 1999.

TWENTY-FOURTH DAY

Wednesday, March 3, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Norman Sakamoto, Hawaii State Senate, 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 Twenty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 209 to 224) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 209, dated February 10, 1999, transmitting the 1998 Barbers Point Naval Air Station Redevelopment Commission Annual Report, pursuant to Act 359, SLH 1997, was placed on file.

Gov. Msg. No. 210, dated February 23, 1999, transmitting the 1998 Annual Reports of the Housing Finance and Development Corporation (HFDC) and the Hawaii Housing Authority (HHA), pursuant to Chapter 201E, HRS, was placed on file.

Gov. Msg. No. 211, dated February 16, 1999, transmitting a report, "Tax Credits claimed by Hawaii Residents - 1996," prepared by the Department of Taxation, was placed on file.

Gov. Msg. No. 212, dated February 17, 1999, transmitting the report of the Permit Process Task Force on Act 127, SLH 1997, prepared by the Department of Business, Economic Development, and Tourism, Office of Planning, was placed on file.

Gov. Msg. No. 213, dated March 1, 1999, transmitting the 1997-1998 Annual Report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, HRS, was placed on file.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of: ALBERT "BENNY" RODERO, term to expire June 30, 2002; and GABRIEL K. KILAKALUA, JR., term to expire June 30, 2003, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Civil Service Commission, the nominations of: LINDA R. LAI, term to expire June 30, 2001; GLADYS M. KOTAKI, term to expire June 30, 2002; and BOB T. KITA, term to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 216, 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, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of JUDY SOBIN, term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 218, submitting for consideration and confirmation to the Board of Trustees, Employees' Retirement

System, the nomination of RICHARD L. HUMPHREYS, term to expire January 1, 2005, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 219, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nominations of RANDALL M. HASHIMOTO, JAY I. ISHIBASHI and CAROL S. SAKATA, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Hawai'i Community Development Authority, the nomination of JAMES K. TSUGAWA, term to expire June 30, 2000, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Land Use Commission, the nomination of STANLEY H. ROHRIG, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Board of Massage Therapy, the nominations of: MICHELLE NAKATA and EMY M. YAMAUCHI, terms to expire June 30, 2002; and LEE YETTA STEIN, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of REGINALD E. DAVID, term to expire June 30, 2000, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nominations of TOY G. GRICE and EDWARD M. KAWAMURA, terms to expire June 30, 2003, was referred to the Committee on Transportation and Intergovernmental Affairs.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 21 and 22) were read by the Clerk and were placed on file:

Dept. Com. No. 21, from the State Auditor dated February 23, 1999, transmitting a report, "Audit of the Hawaii Health Systems Corporation," (Report No.99-9).

Dept. Com. No. 22, from the State Auditor dated February 26, 1999, transmitting a report, "Audit of the Convention Center Authority: Final Report," (Report No. 99-10).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 8 to 28) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 8, transmitting H.B. No. 83, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 9, transmitting H.B. No. 86, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 86, 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. 10, transmitting H.B. No. 160, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 160, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 11, transmitting H.B. No. 165, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 165, 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. 12, transmitting H.B. No. 177, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 177, 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. 13, transmitting H.B. No. 300, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 300, 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. 14, transmitting H.B. No. 605, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 605, 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. 15, transmitting H.B. No. 955, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 955, 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. 16, transmitting H.B. No. 983, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 983, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," 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. 17, transmitting H.B. No. 996, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 18, transmitting H.B. No. 997, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 997, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY LAUNDERING," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 19, transmitting H.B. No. 999, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 999, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 20, transmitting H.B. No. 1013, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1013, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM 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. 21, transmitting H.B. No. 1114, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1114, 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. 22, transmitting H.B. No. 1145, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1145, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 23, transmitting H.B. No. 1431, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1431, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 24, transmitting H.B. No. 1464, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1464, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 25, transmitting H.B. No. 1469, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1469, 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. 26, transmitting H.B. No. 1492, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 27, transmitting H.B. No. 1496, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1496, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 28, transmitting H.B. No. 1497, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 46 to 59) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO BUILD A PERMANENT LIBRARY/ADMINISTRATION BUILDING FOR KIHEI ELEMENTARY SCHOOL."

Offered by: Senator Chumbley.

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

No. 47 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ESTABLISH AND IMPLEMENT A TOURISM MARKETING AND PROMOTION PLAN TO ATTRACT PARTICIPANTS AND SPECTATORS OF THE 2000 SUMMER OLYMPICS IN SYDNEY, AUSTRALIA TO HAWAII."

Offered by: Senators Iwase, Buen, Chun, Chun Oakland, Kawamoto, Matsuura, Sakamoto, Tam, Tanaka.

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

No. 48 "SENATE CONCURRENT RESOLUTION RELATING TO DEVELOPMENT OF A BIOTECHNOLOGY INDUSTRY IN HAWAII."

Offered by: Senators Iwase, Buen, Chun, Chun Oakland, Inouye, Kawamoto, M. Ige, Matsuura, Sakamoto, Tam, Tanaka.

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

No. 49 "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY."

Offered by: Senators Iwase, Buen, Chun, Chun Oakland, Kawamoto, M. Ige, Matsuura, Sakamoto, Tam, Tanaka.

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

No. 50 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE POTENTIAL OF ESTABLISHING A MEDICINAL HERB INDUSTRY IN THE STATE."

Offered by: Senators Iwase, Buen, Chun Oakland, Inouye, Kawamoto, M. Ige, Matsuura, Sakamoto, Tam, Tanaka.

Referred to: Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 51 "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF ENTREPRENEURIAL PATHWAYS FOR ECONOMIC GROWTH INTO THE NEW MILLENNIUM."

Offered by: Senators Iwase, Buen, Chun, Chun Oakland, Inouye, Kawamoto, M. Ige, Matsuura, Sakamoto, Tam, Tanaka.

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

No. 52 "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF A SMART PARK IN THE DISTRICT OF KAKA'AKO."

Offered by: Senators Iwase, Buen, Chun Oakland, Inouye, Kawamoto, M. Ige, Matsuura, Sakamoto, Tanaka.

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

No. 53 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR MILITARY TRAINING AND RELATED ACTIVITIES AT THE MAKUA MILITARY RESERVATION ON OAHU."

Offered by: Senators Hanabusa, Buen, Chumbley, Chun, Chun Oakland, Kanno, Matsuura, Nakata, Slom, Tam, Tanaka.

Referred to: Committee on Transportation and Intergovernmental Affairs

No. 54 "SENATE CONCURRENT RESOLUTION REQUESTING THE LIMITED INVOLVEMENT OF

SCHOOL PRINCIPALS IN COMPLYING WITH THE FELIX-WAIHEE CONSENT DECREE."

Offered by: Senators Hanabusa, Buen, Chun, Chun Oakland, Kanno, Kawamoto, Matsuura, Nakata, Slom, Tam, Tanaka, Taniguchi.

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

No. 55 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senators Hanabusa, Buen, Chun, Chun Oakland, Kanno, Kawamoto, Matsuura, Nakata, Slom, Tanaka.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 56 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT AND CONGRESS TO ASSIST IN THE PROCESS OF NATIVE HAWAIIAN SELF-GOVERNANCE."

Offered by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata, Tanaka.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs

No. 57 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUES."

Offered by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata, Tanaka.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 58 "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS."

Offered by: Senators Hanabusa, Chun, Kanno, Matsuura, Nakata, Tanaka.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Education and Technology

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE LIBRARIAN TO CHANGE INTERNET ACCESS POLICIES TO ALLOW FOR THE DOWNLOADING OF E-MAIL ONTO FLOPPY DISKS."

Offered by: Senator Tam.

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

SENATE RESOLUTION

The following resolution (S.R. No. 26) was read by the Clerk and was referred to committees:

Senate Resolution

No. 26 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO BUILD A PERMANENT LIBRARY/ADMINISTRATION BUILDING FOR KIHEI ELEMENTARY SCHOOL."

Offered by: Senator Chumbley.

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

STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 533) recommending that S.C.R. No. 3, 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. 3, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 534) recommending that S.R. No. 3, 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.R. No. 3, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 535) recommending that S.R. No. 10 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 10, entitled: "SENATE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS OF SENATE PROCEEDINGS," was adopted.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 536) recommending that S.C.R. No. 27, 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 majority of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR A TASK FORCE AND REQUESTING A STUDY TO REVIEW THE FISCAL NEEDS OF THE STATE HIGHWAY FUND AND REPORT ON DEVELOPING A REVENUE PLAN FOR THE HIGHWAYS DIVISION," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 537) recommending that S.C.R. No. 13, 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 joint report of the Committees was adopted and S.C.R. No. 13, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING CONTINUING EFFORTS TO DEVELOP HILO'S BAYFRONT," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 538) recommending that S.R. No. 4, 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 joint report of the Committees was adopted and S.R. No. 4, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING CONTINUING EFFORTS TO DEVELOP HILO'S BAYFRONT," 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. 539) recommending that S.C.R. No. 25, 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.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO CONDUCT A STUDY ON MAXIMIZING UTILIZATION OF THE ZIPPER AND HIGH OCCUPANCY VEHICLE LANES," 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. 540) recommending that S.R. No. 8, 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. 8, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO CONDUCT A STUDY ON MAXIMIZING UTILIZATION OF THE ZIPPER AND HIGH OCCUPANCY VEHICLE LANES," 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. 541) recommending that S.C.R. No. 37, 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.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT," 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. 542) recommending that S.R. No. 15, 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. 15, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 543) recommending that S.C.R. No. 20, as amended in S.D. 1, 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. 20, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 544) recommending that S.C.R. No. 33, 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. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING URGENT ATTENTION TO AN EXPEDITIOUS PLAN OF ACTION TO RESTORE KAUMALAPAU HARBOR," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 545) recommending that S.B. No. 1534, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 LICENSE PLATES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 5, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 546) recommending that S.B. No. 1132 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1132, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 547) recommending that S.B. No. 1262 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 548) recommending that S.B. No. 1280 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1280, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 549) recommending that S.B. No. 40 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 40, entitled: "A BILL FOR AN ACT RELATING TO

PHYSICIAN ASSISTANTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 550) recommending that S.B. No. 560, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 SPECIAL MANAGEMENT AREAS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 5, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 551) recommending that S.B. No. 1321, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 551 and S.B. No. 1321, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," was deferred until Friday, March 5, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 552) recommending that S.B. No. 206 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 206, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 553) recommending that S.B. No. 1149, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 5, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 554) recommending that S.B. No. 96, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 96, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 5, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 555) recommending that S.B. No. 810 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 810, entitled: "A BILL FOR AN ACT RELATING TO NOXIOUS WEED CONTROL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 556) recommending that S.B. No. 1063 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1063, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 557) recommending that S.B. No. 1478 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1478, entitled: "A BILL FOR AN ACT RELATING TO PLANTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 4, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 558) recommending that S.B. No. 143, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 UTILITY TRANSMISSION LINES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 5, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 559) recommending that S.B. No. 384, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 384, 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 Friday, March 5, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 560) recommending that S.B. No. 480 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 560 and S.B. No. 480, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred until Thursday, March 4, 1999.

ORDER OF THE DAY

THIRD READING

S.B. No. 680, S.D. 1:

Senator Kawamoto moved that S.B. No. 680, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chumbley.

Senator Kawamoto rose in support of the measure and said:

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

"Mr. President, after hearing the outcry of this past New Year's, your Committees on Transportation and Intergovernmental Affairs, and Judiciary worked together to craft a bill that answered many of the concerns of many

Senators that had interest in the fireworks bill. We established a bill, from the safety and health and enforcement view, of a total ban for the State. We also established a procedure where the counties, with positive actions and ordinances, can elect to opt out from this total ban. Also, in the total ban we have provided opportunity for religious and cultural purposes.

"This bill is a good bill. It provides us a platform in which to take this bill over to the House. So I urge all my colleagues to vote 'aye' on this bill."

Senator Iwase rose to speak on the measure as follows:

"Mr. President, I'm rising to speak in support of the bill with reservations.

"Mr. President, celebrating New Year's Eve with fireworks is a custom and tradition interwoven in our islands' history. It is part of our islands' culture. The historian Arthur M. Schlesinger wrote that, 'History is to the nation as memory is to the individual. As an individual deprived of memory becomes disoriented and lost, not knowing where he has been or where he is going, so a nation denied a conception of its past will be disabled in dealing with its present and its future.'

"The previous speaker mentioned cultural exemptions. I'm glad that is in the bill. But what is our culture? We have defined it in our laws. Section 9-1, Hawaii Revised Statutes, defines culture to include 'customs, traditions, mores, and history of all of the various ethnic groups of Hawaii' -- all of us as a people. And it is perhaps true that fireworks was brought to us by one of our immigrant groups, but in this melting pot called Hawaii, that is true with so many things that make this place different and unique. And in these differences are the history of our people, and we must preserve those things which are unique to us as a society. We have pidgin English because the various ethnic groups needed to communicate with each other. We have mixed-plate lunches because the various ethnic groups shared with each other. And we have 'aloha' for each other because the Hawaiians taught us how to live together in this crowded and diverse island community.

"Are fireworks on New Year's Eve part of our tradition and custom? I think so. And that is why in a recent poll it showed that our community is evenly divided on whether or not to ban fireworks. I doubt that such a deep division of the house would have occurred in any other state in this Union.

"Mr. President, I believe the people expect us to find the right balance between an outright ban of fireworks versus unrestricted and unrestrained use of fireworks. And in this regard, I believe that the suggestions offered in the February 20, 1999 article in the *Star-Bulletin* by Mr. Blaine Fergerstrom which calls for stricter controls, but not a prohibition, are excellent. And I hope that the Senate pursues his suggestions without starting from the position that we ought to ban fireworks.

"I also hope -- and that is why it's so important to remember -- I also hope that we remember that the present is a bridge between our past and our future. Those of us who live in the present have a special responsibility to preserve and protect our culture for future generations. Our traditions, customs, and history will remind us who we are, who we are as a people, and it will therefore give us the strength and the security as a people to make decisions consistent with the values in our island community.

"Thank you, Mr. President."

Senator Tam spoke on the measure with reservations and stated:

"Good morning, Mr. President and fellow colleagues. I speak in favor of this bill with reservations.

"First of all, I want to thank the Transportation and Intergovernmental Affairs Committee and the Judiciary Committee for dealing with this emotional issue, and also a health and safety issue.

"I have spoken to many of the Chinese in the community. As you well know, I get quite involved, and in my dialogue with them they have signed petitions. These petitions, so far, within a two-weeks' span, number over 250 signatures. Please keep in mind that many of these Chinese are of multi-culture. In Hawaii, we are a multi-culture state. Fireworks is part of our culture. Let me mention in terms of what the petition states, 'We, the residents of the State of Hawaii want a legal mandate to burn fireworks for cultural and religious purposes.' Before proceeding on, let me also thank the respective colleagues of mine in the respective committees for inserting within the bill that fireworks can be burned for cultural and religious purposes. Unfortunately, we had some things we have to further discuss on this, and I acknowledge that the bill, as it goes through the legislative process, will be amended.

"The petition further states that this mandate shall include the following:

- (1) The mandate in regard to the use of fireworks must be consistent in all counties of the State of Hawaii.

Let me explain as to why. Basically, when you have four counties, each respective county has its own county council and its own respective mayor. Imagine in terms of the confusion from one island to the next when we're supposed to be joining hands in unison, statewide. As an example, I, myself, am involved in the Chinese community with a society called 'Ket On Society,' which is a very religious, mason society. We have associations not only on this island, but also in the County of Maui. I happen to be the vice president of the society. It's going to be confusing for me whereby the culture and religious practices for the use of fireworks are at different times and different dates, respectively, because the county is not understanding the logistics on the use of fireworks. And furthermore, for our young ones, imagine the confusion in their culture and heritage across the State of Hawaii.

- (2) A committee consisting of cultural and religious representatives shall technically determine the events, dates, time, and amounts of use of fireworks.

The question is, Why should we determine it here on this floor or in the Legislature when basically we should ask for those who have knowledge of the culture and religious practices on the use of fireworks? Currently, our state law states in the use of fireworks, and in regard to the Chinese use of fireworks on Chinese New Year, it's permissible to use fireworks from nine p.m. on Chinese New Year's Day to one o'clock in the morning of the next day. That is wrong, erroneous. Whoever came up with that idea in the statute, didn't know enough about the culture. The Chinese community culture uses fireworks for Chinese New Year's Day, before the first meal in the morning to welcome the new year. And also, when the family gathers for the family dinner, they will burn fireworks again, just before having the family dinner. And that's it. So, we're talking about maybe a two-hour span in the morning and a two-hour span in the early evening. We're not talking about in terms of, say six to seven hours, basically. That is ridiculous. That's a misuse of fireworks. Thirdly, this petition states that:

- (3) Aerial fireworks are excluded in the use of cultural and religious practices.

Once again, when this bill moves on, I hope that amendments will be made whereby we can correct our misunderstandings in the proper use of fireworks.

"I'd like to emphasize that legislation must be practical and enforceable, and as the bill right now, it has some flaws. But I'm not faulting anyone here because we are all in a learning

stage and culture has been around for so many years, so many different practices. Once again, we are a multi-cultural state. People get confused. And sometimes we get confused here in terms of the right way of using fireworks.

"I wish to also state that we need more enforcement. I was told of an example. I ran into a wholesaler of fireworks and it was just after last Christmas. I ran into him at Kmart at Waikēle. He was putting up his display and he said to me, 'Rod, I'm confused.' I said, 'What's wrong?' I told the Honolulu Police Department that illegal containers of aerial fireworks were coming to Hawaii and it's going to be docked at the docks in Honolulu, Hawaii. And he said they did nothing -- nothing at all. That's amazing.

"When you think about it, we create legislation but it's not enforceable or it's not desired to be enforced. I had the opportunity to talk to the Director of Public Safety in January, and I asked him, 'What if we have a joint law enforcement of fireworks, whereby his department along with the counties' law enforcement (the police departments) would go to the docks, open up the containers, and those who have proper permits, those fireworks would be given to those vendors?' And he said, 'That's fine.' Currently, nothing is done as such. One begins to wonder what type of enforcement do we have? Why do we create these laws for? It seems like only paper, basically. So legislation doesn't have teeth in it at this time.

"Let me also inform you that, which is very confusing, I had an opportunity to talk to a captain of the fire department and it was right after the hearing that we had here in the Senate, a public hearing in the auditorium. And the captain, whom I happen to know, said, 'This is our own testimony of the fire department, and the police department is giving their own testimony, but the mayor refuses to commit himself.' Mayor Jeremy Harris refuses to commit himself. I said, 'Why?' And basically the captain said, 'Well, he's afraid, politically.' He doesn't know what avenue to take. When you think about it, this legislation gives authority to the counties, which don't have any direction, so it's very questionable.

"I thank you very much."

Senator Sakamoto rose to speak in support of the measure with reservations:

"Mr. President, I also rise in support with reservations.

"Fireworks and New Year's have been a family tradition for many years. It is a custom that has flourished for generations. It is an opportunity for families to get together, eat ethnic food and talk story. It is a time to share memories of the past, and hope for the year to come. There are only a few family traditions that we, as a Hawaii 'ohana,' can cherish. For some families, New Year's Eve celebrations are the only time, outside of funerals and weddings, that whole families, clans and even neighborhoods gather and break bread together. It is a tradition worth saving.

"There are three things we can do to bring sanity and safety to the traditional New Year's festivities: (1) Pass legislation to enforce the ban on illegal use of aerials and stop fire hazards; (2) At public hearings, citizens voiced their concerns about the health and safety hazards of smoke created this year. Part of that we could curtail by banning smoke cloud toy smoke devices, which are defined as 'small, plastic, or paper items that contain no more than 100 grams of pyrotechnic composition that upon ignition produces a white or colored smoke as the primary effect'; (3) Curtail home-made bombs and the dangerous one-upsmanship games, like those at Campbell High School this year, by banning items such as large sparklers from which these devices are made.

"So let's deal with sensible restrictions here; let's not punt to the counties.

"Many of us remember the fun and safe times, with good times, small sparklers waving, small pops in the driveways throughout the evening, and as midnight draws near, a long string of fireworks, firecrackers, hanging from a ladder or a pole, with family, friends . . . ready to hug, ready to kiss, ready to shake hands to bring in the New Year. So let's preserve that. That's a family tradition worth saving, and it is good."

Senator Slom rose in support of the measure with reservations and said:

"Mr. President, I rise to support the measure with reservations.

"I would also like to support most of the comments made by my colleagues from Mililani and Moanalua. I would point out, however, that we are always asked in government to do everything and this is a prime example of why we should have statewide referendum in our community to allow people to decide for themselves, because government can't do everything and can't have one-size fits all.

"I have a couple of problems or questions with the bill itself. The bill internally defines fireworks and two special types of fireworks and then proceeds to apply numerous prohibitions only to fireworks, so this could reasonably raise the question of interpretation to mean that the prohibition only is going to apply to fireworks but not the two special types that are mentioned in the bill. So the bill needs additional work.

"I just wish that I would have had half as many calls protesting the problems of bureaucracy and taxation and regulation in the community as I had to ban fireworks, ban lawnmowers, ban small power tools. These are the things that people as interested in, but I think we should realize in listening to the words of the 'Reverend' Sakamoto this morning that perhaps, before the sun goes down, we should be able to try to resolve with our neighbors and with our friends some of our own problems.

"Thank you, Mr. President."

Senator Matsunaga then rose in support of the measure and stated:

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

"Mr. President, first I'd like to commend the TIA chair for his hard work over the years in bringing this issue to the floor. Second, I think this measure balances and considers the deeply held religious and cultural beliefs of our community. I am hopeful that our strengthened ban on aerials will indeed fly. I'm afraid that if we imposed a total ban without the religious and cultural exceptions, I think it would simply explode in our faces.

"Mr. President, doctors always advise us that too much of anything isn't a good thing, and to those members of our community who have respiratory problems, I think too much fireworks can be health-threatening and even deadly. I think those who have respiratory problems don't want to spoil the fun for those who want to participate, they just want to be able to breathe. And so, I want to urge my colleagues to support this reasonable ban. Thank you."

Senator Anderson rose in support of the bill with reservations:

"Mr. President, I, too, am going to support the bill with reservations.

"Even though I sit on committees, I'm still confused. On the bill itself, it more or less states that New Year's, Chinese New Year's, Fourth of July, but it doesn't say if we're really going to ban any of those dates. It does say 'cultural and religious.' While I happen to be Catholic, I have cousins and nephews and

nieces who are Chinese, including my own grandchildren. How do I, then, if I wanted to get a permit, go in and say that I'm going to qualify under a religious or cultural. I have many friends who were born and raised here. They have no culture, no religious background, but they believe in Chinese New Year's. They believe in New Year's Eve. I just don't know, if we're going to write a bill, how we're going to get around to make sure that these people can be included, rather than just the culture and the religious background. If we're going to make it, this bill has got a lot to be addressed, yet, to make it clarified.

"Also, if we're going to worry about what's being imported, I said we should have made sure that we taxed it as high as possible so that those people who are bringing in container loads, which threw out the 'mom and pop' type of businesses that we used to buy our fireworks from, it would stop them from bringing in container loads after container loads, just so they can dump it on the consumers. We don't even address that.

"So, there's a lot of things, Mr. President, that I believe that we could look at. I do believe that we've got to do something, but if we're going to do it, let's not play games. Let's really do it, and do it right.

"Thank you very much."

Senator Chun then rose in support of the measure and stated:

"Mr. President, I stand in favor of the bill.

"Mr. President, the common problem in all of these fireworks is the enforcement. I agree with the statements that have been made by fellow colleagues in terms of the need to control and the need to regulate, but enforcement is the main thing in terms of how to do that.

"I support this bill primarily because it begins now the process of putting in the hands of the agency that's going to enforce any kind of regulation or ban of fireworks into the counties. The primary enforcement of any kind of bill that we're going to be passing is going to be in the hands of the police department. Either it will be the HPD, KPD, MPD, or Hawaii Police Department. They need to be on board if they really want to enforce something, they need to be in the process of how they're going to enforce, and where they're going to enforce, and what kind of enforcement or system that they're going to be using. Without their input in terms of that, no matter what we do here in this body, we're still going to have the same problem. That's why I support this bill, because it puts the responsibility and the guidance of how to control fireworks in the hands of those who are going to be enforcing it, and that is the counties.

"It is time that we stop distrusting the counties in terms of regulating its own affairs and the welfare of its own people, and start working with them as to how to realize how to improve the State.

"Thank you very much, Mr. President."

Senator Kanno then rose and said:

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

The Chair so ordered.

Senators Taniguchi, Fukunaga, D. Ige, Nakata and Matsuura then requested their votes be cast "Aye, with reservations," and the Chair so ordered.

The motion was then put by the Chair and carried, S.B. No. 680, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 1018, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG FORMULARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 o'clock p.m.

STANDING COMMITTEE REPORT

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 561) recommending that S.B. No. 426, as amended in S.D. 1, pass Second Reading and be recommitted 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.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 1517, and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 392 and 426, and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I heard this morning on the radio that the Governor is upset with the Legislature as a whole, I guess, because we did nothing on his civil service bill. I do remember that Representative Okamura in the House stated that maybe, if it was collective bargaining. I just wanted to remind everybody that I do have a bill in on collective bargaining. If you would like to look at it, we could probably do something that would make the Governor happy.

"Thank you very much, Mr. President." (Laughter.)

ADJOURNMENT

At 12:14 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., Thursday, March 4, 1999.

TWENTY-FIFTH DAY

Thursday, March 4, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tom Gross, St. John Vianney Church, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 225 to 229) were read by the Clerk and were placed on file:

Gov. Msg. No. 225, dated February 26, 1999, transmitting a report, "1998 Review of the Hawaii Ocean Resources Management Plan," by the Department of Business, Economic Development and Tourism, Office of Planning, Hawaii Coastal Zone Management Program.

Gov. Msg. No. 226, dated March 1, 1999, transmitting a report prepared by the Department of Human Services, Benefit, Employment and Support Services Division, pursuant to Act 328, Section 64, SLH 1997.

Gov. Msg. No. 227, dated March 1, 1999, transmitting a report prepared by the Department of Human Services pursuant to Section 346-276, HRS, on the First-to-Work Program.

Gov. Msg. No. 228, dated March 1, 1999, transmitting a report prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS, on the activities of the Department of Health, Environmental Health Administration, Office of Hazard Evaluation and Emergency Response, and use of the Environmental Response Revolving Fund.

Gov. Msg. No. 229, dated February 26, 1999, transmitting the Annual Report of the Rental Housing Trust Fund Program, prepared by the Department of Business, Economic Development and Tourism, Housing and Community Development Corporation of Hawaii, pursuant to Chapter 201G, HRS.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 23, from the Department of Transportation dated February 26, 1999, transmitting the Summary Report of the Hawaii International Air Cargo Symposium, "Optimizing Hawaii's Air Cargo Potential Today and Tomorrow," was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 29 to 56) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 29, transmitting H.B. No. 7, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 7, 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. 30, transmitting H.B. No. 10, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 31, transmitting H.B. No. 161, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," 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. 32, transmitting H.B. No. 172, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 172, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 33, transmitting H.B. No. 196, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 196, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 34, transmitting H.B. No. 254, H.D. 2, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 254, H.D. 2, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 35, transmitting H.B. No. 261, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 261, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND FAMILIES," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 36, transmitting H.B. No. 294, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 294, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," passed First Reading by title and was referred

to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 37, transmitting H.B. No. 677, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 677, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 38, transmitting H.B. No. 715, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," 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. 39, transmitting H.B. No. 939, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 939, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 40, transmitting H.B. No. 990, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 990, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," 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. 41, transmitting H.B. No. 1008, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1008, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 42, transmitting H.B. No. 1037, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 43, transmitting H.B. No. 1095, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1095, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF 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. 44, transmitting H.B. No. 1120, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 45, transmitting H.B. No. 1124, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1124, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Labor and Environment.

Hse. Com. No. 46, transmitting H.B. No. 1146, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 47, transmitting H.B. No. 1179, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 48, transmitting H.B. No. 1186, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 49, transmitting H.B. No. 1188, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 50, transmitting H.B. No. 1203, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1203, H.D. 1, 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. 51, transmitting H.B. No. 1207, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 52, transmitting H.B. No. 1277, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 53, transmitting H.B. No. 1350, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Government Operations and Housing.

Hse. Com. No. 54, transmitting H.B. No. 1444, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1444, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 55, transmitting H.B. No. 1548, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1548, 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 Labor and Environment.

Hse. Com. No. 56, transmitting H.B. No. 1641, H.D. 1, which passed Third Reading in the House of Representatives on Wednesday, March 3, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1641, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 60 to 66) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF EXPANDING THE DEFINITION OF CERTIFIED SUBSTANCE ABUSE STAFF TO INCLUDE PSYCHOLOGISTS CERTIFIED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION COLLEGE OF PROFESSIONAL PSYCHOLOGY IN THE TREATMENT OF ALCOHOL AND OTHER PSYCHOACTIVE SUBSTANCE USE DISORDERS."

Offered by: Senators Taniguchi, Kanno.

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

No. 61 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH STANDARDS REGARDING ELECTRIC AND MAGNETIC FIELDS EMISSIONS."

Offered by: Senators Chun Oakland, Hanabusa.

Referred to: Committee on Commerce and Consumer Protection

No. 62 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN."

Offered by: Senators Chun Oakland, Fukunaga, Inouye.

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

No. 63 "SENATE CONCURRENT RESOLUTION REQUESTING THE PATIENTS' BILL OF RIGHTS TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF CREATING A DATA BANK WITH PROVIDER INFORMATION FOR ACCESS BY HEALTH CARE CONSUMERS."

Offered by: Senators Chun Oakland, Kanno, Levin, Taniguchi.

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

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY HANDICAPPED PERSONS."

Offered by: Senators Nakata, Buen, Chun, Chun Oakland, Fukunaga, Hanabusa, Kanno, Levin, Matsuura, Taniguchi.

Referred to: Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 65 "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM."

Offered by: Senators Nakata, Anderson, Buen, Chumbley, Chun, Hanabusa, Inouye, Kanno, Kawamoto, Levin, M. Ige, Matsuura, Sakamoto, Tam, Taniguchi.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 66 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL PROSECUTION OF THE GASOLINE OVERCHARGE CASE, AND TO EXPRESS SENATE MEMBERS' SUPPORT FOR THIS EFFORT."

Offered by: Senators Chumbley, Matsunaga, Kanno, Taniguchi, Chun, Ihara, Chun Oakland, Matsuura, Levin, Tam, Kawamoto, Anderson, Nakata, Buen, Bunda, Inouye, Fukunaga, Hanabusa, Tanaka, Sakamoto, Iwase, D. Ige, Mizuguchi.

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 27 to 30) were read by the Clerk and were referred to committees:

Senate Resolution

No. 27 "SENATE RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN."

Offered by: Senators Chun Oakland, Fukunaga, Inouye.

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

No. 28 "SENATE RESOLUTION REQUESTING THE PATIENTS' BILL OF RIGHTS TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF CREATING A DATA BANK WITH PROVIDER INFORMATION FOR ACCESS BY HEALTH CARE CONSUMERS."

Offered by: Senators Chun Oakland, Kanno, Levin, Taniguchi.

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

No. 29 "SENATE RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM."

Offered by: Senators Nakata, Anderson, Buen, Chumbley, Chun, Hanabusa, Inouye, Kanno, Levin, M. Ige, Sakamoto, Tam, Taniguchi.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 30 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL PROSECUTION OF THE GASOLINE OVERCHARGE CASE, AND TO EXPRESS SENATE MEMBERS' SUPPORT FOR THIS EFFORT."

Offered by: Senators Chumbley, Matsunaga, Kanno, Taniguchi, Ihara, Chun Oakland, Matsuura, Inouye, Levin, Tam, Kawamoto, Anderson, Nakata, Buen, Chun, Bunda, Fukunaga, Hanabusa, Tanaka, Sakamoto, Iwase, D. Ige, Mizuguchi.

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

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 562) recommending that S.C.R. No. 24, 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.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON IMPROVING TRANSPORTATION AND THE TRAFFIC FLOW FROM THE FORT SHAFTER AND AIRPORT AREAS TO DOWNTOWN," 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. 563) recommending that S.R. No. 7, 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. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON IMPROVING TRANSPORTATION AND THE TRAFFIC FLOW FROM THE FORT SHAFTER AND AIRPORT AREAS TO DOWNTOWN," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 1132:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1132, 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, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Iwase, Levin).

S.B. No. 1262:

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

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Iwase, Levin).

S.B. No. 1280:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1280, 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, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Iwase, Levin).

S.B. No. 40:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 40, 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, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Iwase, Levin).

S.B. No. 206:

Senator Nakata moved that S.B. No. 206, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Sakamoto rose to oppose the measure and stated:

"Mr. President, I'm compelled to rise in opposition to this measure.

"Under current law, an employer who fails to pay an employee's wages on time or in full is liable to the employee for those wages, and a penalty up to the amount of back wages plus 6 percent interest. The current law protects the employee and allows discretion necessary to insure fairness to employers. This bill would eliminate that discretion and require that the penalty be in the amount of the back wages regardless of circumstances.

"Mr. President, the Senate's Majority package clearly states our commitment to try and help businesses in Hawaii. This bill does exactly the opposite. It eliminates the fairness to the employer and in no way increases protection for the employee.

"Our economy is suffering. Our businesses have asked us to help them rebuild our economic foundation through tax relief and elimination of unnecessary regulations. So I look forward to supporting those kinds of measures on this floor, but, at the very least, we should not be adding to the burden of business.

"Thank you, Mr. President."

Senator Nakata rose in support of the measure and stated:

"Mr. President, I'm speaking for the bill.

"The situation being addressed is one where the employer has not paid wages in a timely fashion and has gotten into a serious dispute. The settlement could be made between the parties, but this is a measure to protect the employee, to encourage the employer to pay in a timely fashion. It is only when it gets into a litigious kind of situation where the intent of this bill would come into play.

"Thank you."

The motion was then put by the Chair and carried, S.B. No. 206, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Sakamoto). Excused, 2 (Chun Oakland, Iwase).

S.B. No. 810:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 810, entitled: "A BILL FOR AN ACT RELATING TO NOXIOUS WEED CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

S.B. No. 1063:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 1063, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

S.B. No. 1478:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 1478, entitled: "A BILL FOR AN ACT RELATING TO PLANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

Stand. Com. Rep. No. 560 (S.B. No. 480):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 560 was adopted and S.B. No. 480, 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, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 700 and 1371, and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following bills:

S.B. No. 3;
S.B. No. 4;
S.B. No. 17;
S.B. No. 38;
S.B. No. 47;
S.B. No. 54;
S.B. No. 105;
S.B. No. 154;
S.B. No. 157;
S.B. No. 177;
S.B. No. 190;
S.B. No. 194;
S.B. No. 202;
S.B. No. 215;
S.B. No. 348;
S.B. No. 364;
S.B. No. 366;
S.B. No. 425;
S.B. No. 450;
S.B. No. 453;
S.B. No. 459;
S.B. No. 509;
S.B. No. 516;
S.B. No. 536;
S.B. No. 567;
S.B. No. 571;
S.B. No. 576;
S.B. No. 580;
S.B. No. 582;
S.B. No. 583;
S.B. No. 584;
S.B. No. 585;
S.B. No. 587;
S.B. No. 598;
S.B. No. 602;
S.B. No. 646;
S.B. No. 656;
S.B. No. 659;
S.B. No. 686;
S.B. No. 743;
S.B. No. 744;
S.B. No. 788;
S.B. No. 791;
S.B. No. 792;

S.B. No. 797;
 S.B. No. 803;
 S.B. No. 809;
 S.B. No. 816;
 S.B. No. 825;
 S.B. No. 883;
 S.B. No. 887;
 S.B. No. 944;
 S.B. No. 953;
 S.B. No. 959;
 S.B. No. 1023;
 S.B. No. 1030;
 S.B. No. 1046;
 S.B. No. 1059;
 S.B. No. 1060;
 S.B. No. 1076;
 S.B. No. 1078;
 S.B. No. 1087;
 S.B. No. 1108;
 S.B. No. 1127;
 S.B. No. 1129;
 S.B. No. 1136;
 S.B. No. 1137;
 S.B. No. 1163;
 S.B. No. 1176;
 S.B. No. 1178;
 S.B. No. 1214;
 S.B. No. 1222;
 S.B. No. 1256;
 S.B. No. 1272;
 S.B. No. 1281;
 S.B. No. 1284;
 S.B. No. 1298;
 S.B. No. 1303;
 S.B. No. 1314;
 S.B. No. 1323;
 S.B. No. 1336;
 S.B. No. 1345;
 S.B. No. 1408;
 S.B. No. 1409;
 S.B. No. 1410;
 S.B. No. 1411;
 S.B. No. 1412;
 S.B. No. 1413;
 S.B. No. 1414;
 S.B. No. 1415;
 S.B. No. 1416;
 S.B. No. 1417;
 S.B. No. 1418;
 S.B. No. 1419;
 S.B. No. 1431;
 S.B. No. 1438;
 S.B. No. 1452;
 S.B. No. 1465;
 S.B. No. 1466;
 S.B. No. 1469;
 S.B. No. 1470;
 S.B. No. 1475;
 S.B. No. 1481;
 S.B. No. 1504;
 S.B. No. 1518;
 S.B. No. 1542;
 S.B. No. 1547;
 S.B. No. 1556; and
 S.B. No. 1635,

and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I would like to know, since I guess most of us get our walking assignments everyday. I had some meetings this morning and I got to the Capitol and I went into the

meetings that I was told were going on -- at 9:00 I had Ways and Means; we also had a joint Ways and Means; 9:15 was Judiciary. I went into the meeting room. There were the people that were invited, I guess, who were there for the different programs or bills that we had there, so they were waiting. None of the Senators were there. I then asked what happened, and someone said they're downstairs. I looked on our billboard. There were no joint meetings that I knew of. So being very nice, I went back to my own office because I had other things to do.

"I think that if we're going to have meetings and we're not notified, we can't go to the meetings. That's number one. Number two (and that's for information) I think it's very impolite when we ask people or let them know that we're going to have bills and they're there to testify, and then we don't even have the chairman come in, and the people are waiting. I think that this is a very discourteous way of handling the public.

"They most certainly call me if there is no quorum. Now, there's 23 to 2, and if I'm going to be sitting on your committee and you can call me if you don't have a quorum, that's because you need me. You sure as hell don't bother with me if you don't need me. And that's fact. But I think it's discourteous when the public is there -- they've gone out of their way -- or the departments are there and they're supposed to be running our State, and they don't even know why we're not there.

"We're getting down to the point now, ladies and gentlemen, where we're going to be needing one another. I would hope to heck if you want Whitney Anderson to attend your meetings and you only need me for a quorum, that's fine. But if you don't need me, at least let me know if there's a joint hearing somewhere.

"Yesterday, I read in the newspaper that we're having Ways and Means at six o'clock. I didn't have it on my agenda. My staff didn't know about it. But I did have it for today. But at six o'clock yesterday we found out Ways and Means was going to be at seven. I said, 'The hell with it. I've got other things to do.' Believe it or not, there's a life away from this building. People have to make a living away from this building.

"So I just wanted to say this more for information for everybody, Mr. President. Mahalo."

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:00 o'clock p.m., Friday, March 5, 1999.

TWENTY-SIXTH DAY

Friday, March 5, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 6:21 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Atsushi Nagao, Shingon Mission Church, 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.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 230, dated February 26, 1999, transmitting the Hawaii Paroling Authority's Annual Report, July 1, 1997 - June 30, 1998, pursuant to Chapter 353, HRS, was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 24, from the State Auditor dated March 4, 1999, transmitting a report, "Study of Privatizing Adult Mental Health Program Services," (Report No. 99-11), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 57 to 82) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 57, transmitting H.B. No. 11, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 11, 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 Transportation and Intergovernmental Affairs.

Hse. Com. No. 58, transmitting H.B. No. 15, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 15, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE REVOCATION OF A DRIVER'S LICENSE," 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. 59, transmitting H.B. No. 50, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 60, transmitting H.B. No. 87, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 87, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 61, transmitting H.B. No. 104, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 104, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 62, transmitting H.B. No. 314, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 314, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 63, transmitting H.B. No. 328, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 64, transmitting H.B. No. 389, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 389, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 65, transmitting H.B. No. 519, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 519, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 66, transmitting H.B. No. 549, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 549, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A LONG-TERM CARE VOLUNTEER OMBUDSMAN PROGRAM," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 67, transmitting H.B. No. 560, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO HILO COMMUNITY SCHOOL FOR ADULTS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 68, transmitting H.B. No. 562, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 562, 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 Commerce and Consumer Protection.

Hse. Com. No. 69, transmitting H.B. No. 747, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 747, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," 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. 70, transmitting H.B. No. 801, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," 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. 71, transmitting H.B. No. 851, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 851, 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.

Hse. Com. No. 72, transmitting H.B. No. 978, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 978, 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 Ways and Means.

Hse. Com. No. 73, transmitting H.B. No. 1026, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," 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. 74, transmitting H.B. No. 1044, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1044, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 75, transmitting H.B. No. 1048, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1048, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 76, transmitting H.B. No. 1071, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1071, 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 and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 77, transmitting H.B. No. 1138, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1138, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 78, transmitting H.B. No. 1139, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1139, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," passed First Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 79, transmitting H.B. No. 1160, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 80, transmitting H.B. No. 1168, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 81, transmitting H.B. No. 1485, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1485, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 82, transmitting H.B. No. 1628, which passed Third Reading in the House of Representatives on March 4, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1628, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 564) recommending that S.B. No. 1079, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1079, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 565) 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 Chun, 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 PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 566) recommending that S.B. No. 675, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 566 and S.B. No. 675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR'S LICENSES," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 567) recommending that S.B. No. 775, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY PROVIDERS AND ACTIVITY DESKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 568) recommending that S.B. No. 776 pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 776, 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 Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 569) recommending that S.B. No. 1429, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 569 and S.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," was deferred until Tuesday, March 9, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 570) recommending that S.B. No. 1057 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 570 and S.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," was deferred until Tuesday, March 9, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 571) recommending that S.B. No. 1404, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 572) recommending that S.B. No. 973, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 572 and S.B. No. 973, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," was deferred until Tuesday, March 9, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 573) recommending that S.B. No. 666, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 573 and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Tuesday, March 9, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 574) recommending that S.B. No. 1270, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 574 and S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 575) recommending that S.B. No. 1307, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1307, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 576) recommending that S.B. No. 1089, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 577) recommending that S.B. No. 1090 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 THE LICENSE FOR IMPORTED MARINE LIFE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 578) recommending that S.B. No. 677, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER IMPROVEMENT PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 579) recommending that S.B. No. 808 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 579 and S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 580) recommending that S.B. No. 1134, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 RELATING TO REVERSE MORTGAGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 581) recommending that S.B. No. 1460 pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1460, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 582) recommending that S.B. No. 1557 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 582 and S.B. No. 1557, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, March 9, 1999.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 583) recommending that S.B. No. 368, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 583 and S.B. No. 368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL PROPERTY OCCUPANCY," was deferred until Tuesday, March 9, 1999.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 584) recommending that S.B. No. 1231, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 584 and S.B. No. 1231, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 585) recommending that S.B. No. 211, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 585 and S.B. No. 211, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 586) recommending that S.B. No. 813, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 586 and S.B. No. 813, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY IN SERVING THE GENERAL PUBLIC," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 587) recommending that S.B. No. 957, 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. 957, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 588) recommending that S.B. No. 1102, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 588 and S.B. No. 1102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 589) recommending that S.B. No. 1124, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 589 and S.B. No. 1124, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 590) recommending that S.B. No. 1130, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 590 and S.B. No. 1130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 591) recommending that S.B. No. 1144, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 591 and S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 592) recommending that S.B. No. 1145, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 592 and S.B. No. 1145, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 593) recommending that S.B. No. 1261, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 593 and S.B. No. 1261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 594) recommending that S.B. No. 1282, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 594 and S.B. No. 1282, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 595) recommending that S.B. No. 1288, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 595 and S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 596) recommending that S.B. No. 1290, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 596 and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 597) recommending that S.B. No. 1326 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 597 and S.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 598) recommending that S.B. No. 1544, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 598 and S.B. No. 1544, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 599) 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. 599 and S.B. No. 5, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 600) recommending that S.B. No. 570, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 600 and S.B. No. 570, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 601) recommending that S.B. No. 809, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 601 and S.B. No. 809, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 602) recommending that S.B. No. 976, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 602 and S.B. No. 976, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 603)

recommending that S.B. No. 1062, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 603 and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARK LEASES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 604) recommending that S.B. No. 1071, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 604 and S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 605) recommending that S.B. No. 1072, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 605 and S.B. No. 1072, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 606) recommending that S.B. No. 1097, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 606 and S.B. No. 1097, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIMBER MANAGEMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 607) recommending that S.B. No. 41, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 607 and S.B. No. 41, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 608) recommending that S.B. No. 185, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 608 and S.B. No. 185, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 609) recommending that S.B. No. 1155, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 609 and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 610) recommending that S.B. No. 1157, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 610 and S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 611) recommending that S.B. No. 1185, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 611 and S.B. No. 1185, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 612) recommending that S.B. No. 1274 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 612 and S.B. No. 1274, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 613) recommending that S.B. No. 1586, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 613 and S.B. No. 1586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 614) recommending that S.B. No. 876, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 614 and S.B. No. 876, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 615) recommending that S.B. No. 1005, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 615 and S.B. No. 1005, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 616) recommending that S.B. No. 1519, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 616 and S.B. No. 1519, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 617) recommending that S.B. No. 102, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 617 and S.B. No. 102, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 618) recommending that S.B. No. 145, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 618 and S.B. No. 145, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 619) recommending that S.B. No. 180, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 619 and S.B. No. 180, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 620) recommending that S.B. No. 200 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 620 and S.B. No. 200, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 621) recommending that S.B. No. 802 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 621 and S.B. No. 802, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON PERSONS WITH DISABILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 622) recommending that S.B. No. 835, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 622 and S.B. No. 835, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 623) recommending that S.B. No. 992, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 623 and S.B. No. 992, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 624) recommending that S.B. No. 1028, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 624 and S.B. No. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 625) recommending that S.B. No. 1049, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 625 and S.B. No. 1049, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 626) recommending that S.B. No. 1053 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 626 and S.B. No. 1053, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 627) recommending that S.B. No. 1054 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 627 and S.B. No. 1054, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 628) recommending that S.B. No. 1235, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 628 and S.B. No. 1235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 629) recommending that S.B. No. 1609, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 629 and S.B. No. 1609, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 630) recommending that S.B. No. 1610 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 630 and S.B. No. 1610, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 631) recommending that S.B. No. 605, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 631 and S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 632) recommending that S.B. No. 888 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 632 and S.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 633) recommending that S.B. No. 889, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 633 and S.B. No. 889, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE JUDICIARY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 634) recommending that S.B. No. 901, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 634 and S.B. No. 901, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 635) recommending that S.B. No. 902, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 635 and S.B. No. 902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS MANAGEMENT SERVICES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 636) recommending that S.B. No. 926, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 636 and S.B. No. 926, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 637) recommending that S.B. No. 1016, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 637 and S.B. No. 1016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 638) recommending that S.B. No. 30, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 638 and S.B. No. 30, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 639) recommending that S.B. No. 1042, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 639 and S.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECRUITMENT OF EMPLOYEES FOR STATE SERVICE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 640) recommending that S.B. No. 1275, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 640 and S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 641) recommending that S.B. No. 1638, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 641 and S.B. No. 1638, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 642) recommending that S.B. No. 531, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 642 and S.B. No. 531, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 643) recommending that S.B. No. 568, 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. 568, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 644) recommending that S.B. No. 1074 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 644 and S.B. No. 1074, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 645) recommending that S.B. No. 1080 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 645 and S.B. No. 1080, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 646) recommending that S.B. No. 20, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 20, 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 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 647) recommending that S.B. No. 238, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 238, 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 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 648) recommending that S.B. No. 134, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 649) recommending that S.B. No. 830, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 650) recommending that S.B. No. 844, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 650 and S.B. No. 844, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 651) recommending that S.B. No. 1101, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 651 and S.B. No. 1101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," was deferred until Tuesday, March 9, 1999.

ORDER OF THE DAY

THIRD READING

S.B. No. 1534, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 1534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSE PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 560, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, S.B. No. 560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 551 (S.B. No. 1321, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, Stand. Com. Rep. No. 551 was adopted and S.B. No. 1321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1149, S.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 1149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 96, S.D. 1:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 96, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 143, S.D. 1:

Senator Kanno moved that S.B. No. 143, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Iwase requested a ruling from the Chair as follows:

"Mr. President, ruling on a conflict -- an attorney in the law firm of which I'm of counsel is representing Hawaiian Electric on a case."

The Chair ruled that Senator Iwase was not in conflict.

Senator Iwase then said:

"Thank you, Mr. President. Then may I speak on this bill?"

The Chair responded: "Please proceed."

Senator Iwase continued:

"Mr. President, I'll be voting for this bill with reservations and I would like to state the reason for that reservation. It is on page 3 of the bill which would allow the Public Utilities Commission . . . what this would do is, the act would overrule applications before the Public Utilities Commission which have been acted upon prior to the effective date of this act. I have concerns about whether or not the Legislature can intrude into what's basically a quasi-judicial process and overrule the actions of a commission where there has been and there is an appeal process that is set out. So I have some concerns about that.

"But I will be voting for the bill with reservations. I do support the other portions of the bill.

"Thank you."

Senator Buen also rose on a conflict ruling as follows:

"Mr. President, I would like to know if I have a potential conflict to vote on S.B. No. 143 and S.B. No. 384."

The Chair responded:

"What is your potential conflict?"

Senator Buen replied:

"I'm an employee of Maui Electric Company."

The Chair responded:

"No conflict. You may vote on those two bills."

Senator Buen then rose in opposition to the measure and said:

"Mr. President, at this time I would like to explain why I am opposed to these two measures. In fact, the mandatory undergrounding without consideration of cost and other factors is not a good public policy approach to the issue of overhead versus underground electric lines. And these bills will result in higher electric rates and therefore will have a significant negative effect on customers, many of whom may be unable to afford the increase. The impact would be even greater for customers on the neighbor islands where costs are spread among fewer customers.

"The State Department of Health's policy on EMF states that the existing research data on possible adverse health effects, including cancer, are inconclusive and not adequate to establish or quantify a health risk.

"Over the past few years the Legislature has taken steps to provide a balanced approach to considering the underground issue. It's noted that in recognition of the high cost of undergrounding, the Legislature exempted the Hawaii Housing Authority from subdivision requirements regarding mandatory undergrounding.

"I will be voting 'no' on these two measures. Thank you."

Senator Slom rose in opposition and said:

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

"I have a number of concerns and problems with the bill like my colleague, our last speaker. The fact that we take away the decision-making from the PUC in this matter, if we're going to do that, then we might as well abolish the PUC because we don't need any decision-making.

"We are at a risk here in terms of additional cost in eliminating any cost-benefit analysis which should be done prudently for any measure of this kind. As has been testified, there is a great deal of debate still remaining on the impact, if any, of electro-magnetic fields. And more importantly to me, is that this bill has a retroactive feature that applies to any applications prior to the effective date unless the system has been completed.

"So for these and other reasons, I'll be voting 'no.'

"Thank you, Mr. President."

Senator Chun then rose to speak against the measure and said:

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

"Mr. President, this bill proposes to require the placement of underground lines of 46 kilovolts or greater if they are to be placed in residential zoned areas or areas near private schools, public schools or licensed child care centers.

"Mr. President, looking through the record, this bill was opposed by the Public Utilities Commission and the Consumer Advocate. In addition, Mr. President, looking at it from Kauai's point of view, currently we do have lines which would be subject to this law. Based upon future projections on the power needs of the Island of Kauai, we are looking at putting at least two lines that would be affected by this law, which could be going down through residential areas or school zones. The potential cost of this to the island is somewhere in the area of \$20 million. Twenty million dollars, Mr. President and my fellow colleagues, spread over 29,000 rate payers for the Island of Kauai will have a huge impact for our island. We cannot afford that.

"While I appreciate the intent of this bill and the hard work by the co-chairs of CPN in trying to work out a good, solid solution to meet the needs of the population of Oahu, I do note that Oahu has more than triple or even quadruple the number of rate payers of the Island of Kauai. And that's why they can afford this and that's why I will support the intent as far as the needs of the Island of Oahu and also the protection of its citizens. But when we come down to the nuts and bolts of it, when the Island of Kauai is struggling to make ends meet, struggling to have employment, struggling to make sure that our businesses remain in place to spur our economy, to put this extra burden is something that we cannot bear for this island.

"I regretfully, very regretfully, will have to vote against this bill, especially in light of the hard work that was done by the co-chairs.

"Thank you, Mr. President."

Senator Chumbley rose in support of the measure with reservations and stated:

"Mr. President, I rise in support of the measure with reservations and ask that my written comments be ordered into the Journal."

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

"I rise in support of S.B. No. 143, S.D. 1, with reservations, as proposed in this measure.

"The Public Utilities Commission shall mandate the undergrounding of 46 KV electric transmission lines in residentially-zoned areas, or within 300 feet of a school or licensed child care facility.

"Mr. President, I can agree with a policy that states the public's health and safety is best served by placing these electric transmission lines underground. However, due to the high costs that this would impose on the electricity users in my Maui and Kauai districts, and the vagueness in the writing of the restrictions imposed in the measure, I continue to have reservations and ask that the co-chairs of the Consumer Protection Committee address these concerns as the bill moves forward for discussion.

"Thank you, Mr. President."

Senator Hanabusa rose in support of the measure and said:

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

"Mr. President, I hear very loud and clear the concerns of my colleagues here this evening. However, one of the things that we must remember is that this bill does not mandate the undergrounding of lines. It simply gives the Public Utilities Commission, as well as the public utilities, an option. It says that if you are going to construct not all lines, but lines that we would term to be sub-transmission or transmission lines of 46 kilovolts or more, then these lines cannot be constructed within 300 feet of a residential area, a school or a child-care facility. Its application is limited.

"I have heard the concerns raised about rates and what that would affect. What we must all understand is how the public utilities derive their rates. First of all, the cost of these lines are not something that's immediately passed on to the ratepayers. It is over the duration of the bond. For example, those who are familiar with the Waiuu CIP 138 KV lines, the construction cost of undergrounding versus overhead lines was a differential of between 70 to 80 million dollars.

"What actually results in terms of the potential rate effect on the normal household is that it would be \$1.47 differential in the beginning, down to zero at the end of the 30-year period.

The average rate would be 74 cents per month. That is the effect of undergrounding the huge 138 KV lines.

"While I empathize with my fellow colleagues from the neighbor islands, I ask that you not make the same mistakes that we have made on Oahu. As you want to move forward and you want tourism, believe me, what they do not want to see is the mass of lines that we have in Pearl City and Aiea. What you do not want to hear is for the Public Utilities Commission to make statements such as 'What's another line for Pearl City and Aiea? They've got them all already.' Or to have them say that there's no vistas in the Ewa plains.

"My colleagues, I ask that you consider this bill. It is about time that we really start to put the money where our mouths are. In other words, we want tourism; we want to sell the islands; we want to sell its beauty; then don't mar it with lines.

"Thank you."

Senator D. Ige then said:

"Mr. President, I just would like to note my support with reservations."

The Chair so ordered.

Senator Bunda added:

"With reservations also, Mr. President."

The Chair so ordered.

Senator Sakamoto then said:

"Reservations as well."

The Chair so ordered.

Senator Anderson rose in opposition to the measure as follows:

"Mr. President, I'll be voting 'no' on this particular measure and I'd like to speak against it only because in the past, when we bought our home in Kailua, we paid for all of the assessments that the developer had.

"What this bill says, more or less if I read it right, is if you have a group that decides that in a particular school zone they're going to do something, all of the underground they're going to spread it across all of the taxpayers or consumers in that area. I don't think that, that's fair that I should pay for underground wiring or anything that's going to affect another part of the state, or another part of the city. I think that the people should be made aware that we could be paying for something because a group decides that it's best.

"And as far as tourism, probably the most used tourist industry area is down by the Arizona. There's all kinds of wiring. They've been using it for years. I've never heard of any tourist that said, 'This is ugly. It's deplorable. We shouldn't have it.' As a young person growing up in Waikiki, we've always had overhead wiring. I don't remember any tourist saying that they objected to that.

"So for those reasons, I don't want to pay for somebody else that decides that they're good environmentalists or that they would like to have something done and it may not even be in their district. They just think that this is what they want to see. So I will be voting 'no.'

"Thank you."

The motion was then put by the Chair and carried, S.B. No. 143, 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, 20. Noes, 5 (Anderson, Buen, Chun, Slom, Tanaka).

S.B. No. 384, S.D. 1:

Senator Kanno moved that S.B. No. 384, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Iwase rose on a conflict ruling as follows:

"Mr. President, the same request for a ruling of conflict on this bill."

The Chair responded: "No conflict. You may vote."

Senator Iwase then said:

"Thank you, Mr. President. May I speak on this bill?"

The Chair replied: "Please proceed."

Senator Iwase continued:

"Mr. President, I'm rising to speak in opposition to this bill.

"Mr. President, unlike the previous bill which arguably has public merit because we're talking about residentially zoned areas and areas near schools, my great concern is that this bill says that the public utilities shall not authorize the placement of these 46 KV lines in an area 'viewed by tourists.' The term is undefined. I assume that anytime a tourist gets on any roadway or walks along any walkway in the State of Hawaii, that is an area viewed by tourists. In short, this bill would prohibit the KV lines -- in its broadest interpretation, of course -- prohibits construction or installation of overhead KV lines anywhere in the State of Hawaii which may be walked upon or viewed by any tourist in the State of Hawaii.

"And mind you, the cost of these KV lines will not be borne by these tourists who are viewing the KV lines from any place in the State of Hawaii, but by the local residents who live in these areas and who need the electricity. And so for those reasons, Mr. President, I think at some point we have to balance the interest. The need to underground, and the arguments about EMF, and health, and the environment, and the view plains on the one hand, and the cost to the consumer on the other, I believe that in this case the balance tips against this proposal, and I'll be voting 'no.'

"Thank you."

Senator Chun also rose in opposition to the measure and stated:

"Mr. President, I'll be rising to speak against this measure also.

"Similarly to the other bill we just voted on, and fortunately Kauai has been held to have many vistas like the ewa plains, this bill would have a severe impact, much greater than the bill that we had, because of Kauai's many, many vistas throughout the island, and of course, because we have the visitors going there and looking at these vistas.

"I struggle with this bill, personally, because I really support the intent of preserving the vistas, preserving the view plains for not only our visitors but also for our residents because that's what is so important. That's what makes Hawaii, Hawaii. And I've has always been, in everything I've been doing, wanting to work to preserve those. However, there are better ways to preserve vistas. I agree with the Honorable Senators, my colleagues over here who stood in support of the previous bill that we need to preserve vistas and that we need to really look

at and learn from the lessons of Oahu and don't repeat them. I agree totally with those, but there are better ways to do that, rather than with the stick to force people to go ahead and do something at the end of a gun. There are better ways.

"In fact, we are having discussions. I personally had discussions with the utility companies from my island about working in cooperation that whenever the county or the state decides to have roadway projects in which we will always be digging and trenching for sewers for water to work in concert in cooperation with them to underground the lines at that time. That would be of very little cost and impact to rate payers and very little or no cost, again, to the taxpayers because that work will be done.

"The problems of the past were that they lacked that kind of cooperation. I agree that we need to learn from the mistakes of the past, but there are other ways to learn other than be at the point of a gun. You can learn from experience. You can learn from cooperation. And that's why I feel that this bill does not really foster those kinds of attitudes and that kind of spirit.

"Finally, I vote on this bill very regretfully again because recognizing the hard work of the co-chairmen of CPN. I think the bottom line, as I asked them in discussing this bill, is if they can look out for the interest of the islands. I know I'm just one vote over here. I know I just look at one perspective, the perspective of my island which I love dearly and I care about. And I know that if I vote 'no' on this bill, I lose all kinds of chances later on to participate on this bill if a conference is called. And I very seriously consider that in making my decision. But I make my decision to vote 'no' because I will trust my colleagues. I will trust my colleagues that they will be concerned just as much as I am concerned about the people of my island. I trust their judgment and I will put my hand along with the hands of the other voters in this honorable body that their concerns will be met and that we will do the right thing.

"Thank you, Mr. President."

Senator Buen rose on a conflict ruling and said:

"Mr. President, like the previous bill, do I have a potential conflict?"

The Chair replied: "No, you may vote."

Senator Buen continued:

"Thank you. I will be opposing this measure also for the same reasons that I have stated. Thank you."

Senators D. Ige and Bunda then requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose in opposition to the measure and said:

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

"I think if all of us look a hundred years into the future, there will not be these lines that we don't like. And I agree these lines don't look good. There may be a potential health hazard. The cards are dealt on both sides on that issue. But today we passed the other bill. There is no need for this bill today. Today, the people out there are suffering. Seventy-four cents, \$1.19, \$2.19, a loaf of bread -- for some people they do not have that loaf of bread a week, let alone a month. We cannot pass this type of bill that is so wide open that we don't know the rate impact, even.

"There are projects that were mentioned -- \$40 million, a dollar and so many cents a month, but that's one project. This is potential disaster. All of the highway projects that your districts are looking at, Mr. Transportation Chair, all of these projects will be shelved. Why? Because they all have to be redesigned.

"This is a ridiculous bill. W/R is not good enough. Please cast my vote as 'no.'"

The motion was then put by the Chair and carried, S.B. No. 384, 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, 16. Noes, 9 (Anderson, Buen, Chumbley, Chun, Iwase, Matsuura, Sakamoto, Slom, Tanaka).

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 153, 456, 860, 1126, 1138, 1462 and 1496, and the Chair granted the waiver.

At 6:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:51 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.

"In the last 48 hours two of our colleagues were criticized and chastised for their personal religious beliefs. I'm very concerned about this, Mr. President. There is hypocrisy here. We start off every session, every session, by praying to a deity. We tell people that we want to be guided by a power greater than ourselves. We ask for divine guidance and we ask for people to stand up, to be committed, to be passionate about something. And then some group comes along and criticizes two of my colleagues -- one for having a symbol of personal faith and belief on his door, the other for simply inviting individuals to pray.

"Who is this group? What is this group -- this group called the Hawaii Citizens for the Separation of State and Church? They started sending all of us daily faxes back in January and they said they're to be informative and enlightening. One of them says, 'Warning to Hawaii Government. Beware of the Catholic Church.' One of them says, 'The Bible says "Jesus will torture and kill every non-Christian on earth."' One of them says, 'Satan is among you,' and on and on and on.

"Who are these people? And why are they complaining? And who are we, not to stand with our colleagues who have a stated belief in something other than big government and bureaucracy, when we ask the Attorney General of this State to utilize that office's resources and the taxpayers' money to investigate whether two of our colleagues can express their own personal religious and First Amendment Constitutional beliefs? What message are we sending to the children? What message are we sending to the public? We've got to stand for something.

"I think that this organization stands for the separation of commitment, the separation of those who stand for something, the separation of a mind and heart and spirit from body. And Mr. President, if I'm forced to make a decision and to stand, I will stand and err on the side of my colleagues and those that have a belief in someone greater than ourselves.

"Thank you, Mr. President."

Senator Chun rose on a point of personal privilege as follows:

"I stand on a point of personal privilege.

"Mr. President, I agree with the statements made today regarding the criticism of my two colleagues on their religious beliefs. I grew up here in Hawaii and chose to stay here in

Hawaii because of what Hawaii is. And Hawaii is aloha. It's reflected not only in our statutes but reflected in our way of life. Aloha means that we care about each other, that we're concerned about each other, and that we respect each other's viewpoints whether we agree with them or not. That's what aloha really is about. That's what we try to live. That's what we try to be. That's the way in our laws we hope to reflect that spirit of aloha.

"What I saw over the past couple of days, and in the letters referenced just recently, doesn't show that. It shows an attitude of intolerance, an attitude that there is no way but their way. It does not adequately reflect aloha as we know it. And that's what saddens me. But I also respect their right, their right, Mr. President, to disagree with my two colleagues in terms of their expression of their own personal beliefs. I respect that.

"I want to end with this quote from the Supreme Court Justice in the case of Allegheny County vs Greater Pittsburgh, 'Rather than requiring government to avoid any action that acknowledges or aids religion, the establishment clause permits government some latitude in recognizing and accommodating the central role religion plays in our society. Any approach less sensitive to our heritage would border on latent hostility toward religion, as it would require government, in all its multi-faceted roles, to acknowledge only the secular, to the exclusion and so to the detriment of religion.' Those are adequate words that zealously but accurately reflect the dynamics of the Constitution. We should make no laws to respect any religion, but we should make laws so no laws would hinder the expression of that religion.

"Thank you very much, Mr. President."

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I agree with my two colleagues, but I'm standing up for another reason. I think every one of my colleagues here have a right to believe in what they want to. But personally, Mr. President, when we first started this year, I heard all the rhetoric about what we've heard from the community about the economy being down and they needed help. Well, I had asked if we were going to move any of the other bills, other than the tax reform bills that we did today. I asked if we were going to do anything with shipboard gambling or any other type or form of gambling, and if we could get a 72-hour waiver. We could have done that just as easily as we've done other waivers. And I thought maybe we would have some kind of movement because everybody gave everybody a little bit of 'BS' about what we were going to do with this economy.

"We had a referendum that was last used, I keep telling everybody, in 1939. We're not here for your individual cares. We're here because the community was going to have input, and that's what the referendum did. And it was only an advisory. You don't want to listen to what the referendum did after it was on the ballot, that's your business. But it would let you know what your constituents thought.

"I don't mind if you don't believe in what everybody else believes in, that the community has a right and a voice and they should be heard. And we could have had a waiver. We could have had the bills heard earlier. We promised people. We haven't done a damn thing, really, to move this economy. I've never been so sick about all the bills that we do. Amend this and pass that, and the departments care. But we haven't done anything for the economy, and people are suffering.

"When we were trying to do a tax credit today . . . you know, have priorities. The most regressive tax was on food and drug. We had Senator Matsuura's bill today and we held it. And I have reservations about holding it. We had other bills. But that is the most regressive tax. I don't care if you're very rich or

very poor. You buy food; you buy pills for your headaches and you buy rheumatism pills and whatever. And you deserve to pass that for the people. And after one year, if in fact we feel that we're losing too much money, we know how much money we're going to have to put back. One year they said, 'Well, you know, we just passed the credit for personal income. The highest we've ever done.' Three years, that's going to take. Three years! Tax credits, end of the year -- who cares about what you're going to get at the end of the year? -- \$100, \$200 on a tax credit. You need money everyday when you're spending it.

"Every one of us have children, grandchildren, cousins, nieces, nephews, whatever. It's very hard for the young people to live. There's another life away from this building. You owe your constituents. You didn't come here for your personal ideas and cares. You came here to reflect what your community wanted.

"I have a lot of concerns of my own. But when it comes down to the public and what we owe them, believe me, my colleagues, we're not doing our job. I'm embarrassed of what we're doing. And if you're not, then I don't think you belong. It's a very sickening deal to see us sit here and we smile and we say we're going to do this and we're going to do that, year after year.

"I made a speech the other night to the Republicans, Mr. President, and I said that the problem with most of the people that get elected, we sit out there and we tread water and we wait for somebody to throw us a life-preserver or pick us up by a boat. There's some of us who are willing to swim ashore. And I used that as Republicans. But there's a whole bunch of us and we better damn well learn to swim ashore because all we've been doing for 20 years, that I know of, is treading water. We haven't done our jobs.

"Thank you very much, Mr. President."

STANDING COMMITTEE REPORTS

On motion by Senator Chun, 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 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 7:02 o'clock p.m., the Senate took the following actions on the following Senate bills and standing committee reports:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 652) recommending that S.B. No. 528, 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. 528, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 653) recommending that S.B. No. 780, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 653 and S.B. No. 780, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 654) recommending that S.B. No. 1128, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 654 and S.B. No. 1128, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 655) recommending that S.B. No. 716 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 655 and S.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 656) recommending that S.B. No. 942, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 656 and S.B. No. 942, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 657) recommending that S.B. No. 869, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 657 and S.B. No. 869, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 658) recommending that S.B. No. 951, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 658 and S.B. No. 951, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 659) recommending that S.B. No. 1011 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 659 and S.B. No. 1011, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 660) recommending that S.B. No. 1154 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 660 and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 661) recommending that S.B. No. 1181, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 661 and S.B. No. 1181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATION FOR THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 662)

recommending that S.B. No. 1156, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 662 and S.B. No. 1156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663) recommending that S.B. No. 1184, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 663 and S.B. No. 1184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 664) recommending that S.B. No. 1238, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 664 and S.B. No. 1238, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 1251 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 665 and S.B. No. 1251, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666) recommending that S.B. No. 1276, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 1276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667) recommending that S.B. No. 1299, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 667 and S.B. No. 1299, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM EXECUTION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668) recommending that S.B. No. 1641, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 668 and S.B. No. 1641, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669) recommending that S.B. No. 119, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 669 and S.B. No. 119, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS, MAINTENANCE,

AND IMPROVEMENTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 670) recommending that S.B. No. 717 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 670 and S.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 671) recommending that S.B. No. 836, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 671 and S.B. No. 836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 672) recommending that S.B. No. 1006, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 672 and S.B. No. 1006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION OF GROUP LIVING HOUSING FACILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 1036, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 673 and S.B. No. 1036, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 1058, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674 and S.B. No. 1058, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 675) recommending that S.B. No. 1608, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 675 and S.B. No. 1608, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 676) recommending that S.B. No. 223, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 676 and S.B. No. 223, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 677) recommending that S.B. No. 900, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 677 and S.B. No. 900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 678) recommending that S.B. No. 1159, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 678 and S.B. No. 1159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 679) recommending that S.B. No. 207 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 679 and S.B. No. 207, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 680) recommending that S.B. No. 1150, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 680 and S.B. No. 1150, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 681) recommending that S.B. No. 1152 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 681 and S.B. No. 1152, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 682) recommending that S.B. No. 1153 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 682 and S.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 1131, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 683 and S.B. No. 1131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 1140, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 684 and S.B. No. 1140, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO BUSINESS REGISTRATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 1279, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 685 and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 1294, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 686 and S.B. No. 1294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 687) recommending that S.B. No. 32 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 32, 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 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 688) recommending that S.B. No. 44, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 44, 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 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 689) recommending that S.B. No. 1245, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 1430, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 690 and S.B. No. 1430, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," was deferred until Tuesday, March 9, 1999.

Senator Nakata, jointly with Senators Chumbley and Matsunaga, for the Committee on Labor and Environment and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 691) recommending that S.B. No. 635, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 692) recommending that S.B. No. 779, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 692 and S.B. No. 779, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 1517, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1517, 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 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 33, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 694 and S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 43, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 695 and S.B. No. 43, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 285, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 696 and S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 697) recommending that S.B. No. 604, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 697 and S.B. No. 604, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 698) recommending that S.B. No. 931, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and S.B. No. 931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIRETAPPING AND ELECTRONIC

SURVEILLANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 1070, 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. 1070, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 1250, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and S.B. No. 1250, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 1256, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and S.B. No. 1256, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 1431, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and S.B. No. 1431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 1465, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 703 and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 704) recommending that S.B. No. 1481, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 704 and S.B. No. 1481, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC.," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 1496, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and S.B. No. 1496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MEDICAL WASTE FACILITY PROJECT DEVELOPMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 706) recommending that S.B. No. 1499, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and S.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 1512, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 707 and S.B. No. 1512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 365, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 365, 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 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 511, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 511, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITY PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 700, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 710 and S.B. No. 700, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 711) recommending that S.B. No. 818, 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. 818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 712) recommending that S.B. No. 822, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 712 and S.B. No. 822, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 713) recommending that S.B. No. 1234, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 INSURERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 1371, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 714 and S.B. No. 1371, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 47, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 178 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 716 and S.B. No. 178, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTHY START," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 194, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 717 and S.B. No. 194, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 638, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 719) recommending that S.B. No. 744, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 719 and S.B. No. 744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 9, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 59, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 59, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 112 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 722) 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 Chun, 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 THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 788, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 723 and S.B. No. 788, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 724) recommending that S.B. No. 106, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 724 and S.B. No. 106, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 725) recommending that S.B. No. 172, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 725 and S.B. No. 172, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 726) recommending that S.B. No. 550, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 726 and S.B. No. 550, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 727) recommending that S.B. No. 612 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 727 and S.B. No. 612, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 728) recommending that S.B. No. 798, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 728 and S.B. No. 798, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 729) recommending that S.B. No. 816, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 729 and S.B. No. 816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 730) recommending that S.B. No. 856, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 730 and S.B. No. 856, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 731) recommending that S.B. No. 1061, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 731 and S.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 732) recommending that S.B. No. 1076 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 732 and S.B. No. 1076, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 733) recommending that S.B. No. 1127, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 733 and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 734) recommending that S.B. No. 1177, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 735) recommending that S.B. No. 1178, 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. 1178, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 736) recommending that S.B. No. 1180 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 THE INCOME TAXATION OF NONRESIDENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 737) recommending that S.B. No. 1214 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 737 and S.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARITIME AUTHORITY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 738) recommending that S.B. No. 1281, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 738 and S.B. No. 1281, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 739) recommending that S.B. No. 1466, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 739 and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE RISK MANAGEMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 740) recommending that S.B. No. 1518 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 740 and S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 741) recommending that S.B. No. 1556, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 741 and S.B. No. 1556, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 742)

recommending that S.B. No. 1607, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 742 and S.B. No. 1607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 743) recommending that S.B. No. 17, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 743 and S.B. No. 17, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 744) recommending that S.B. No. 131, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 744 and S.B. No. 131, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 745) recommending that S.B. No. 157, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 745 and S.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 746) recommending that S.B. No. 538, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 746 and S.B. No. 538, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 747) recommending that S.B. No. 580 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 747 and S.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO PROJECT FAITH," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 748) recommending that S.B. No. 797, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 748 and S.B. No. 797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 749) recommending that S.B. No. 994, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 749 and S.B. No. 994, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO DEPENDENT ADULT AND ELDER ABUSE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 750) recommending that S.B. No. 1137 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 750 and S.B. No. 1137, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 751) recommending that S.B. No. 1163, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 751 and S.B. No. 1163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 752) recommending that S.B. No. 1271, 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. 1271, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 753) recommending that S.B. No. 1284, 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. 1284, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 754) 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. 754 and S.B. No. 1314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 755) recommending that S.B. No. 1470 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 755 and S.B. No. 1470, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 756) recommending that S.B. No. 1475, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 756 and S.B. No. 1475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 757) recommending that S.B. No. 1504, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 757 and S.B. No. 1504, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, March 9, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 758) recommending that S.B. No. 737, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 758 and S.B. No. 737, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was deferred until Tuesday, March 9, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 759) recommending that S.B. No. 738, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 759 and S.B. No. 738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," was deferred until Tuesday, March 9, 1999.

Senator Chun Oakland, jointly with Senators Fukunaga and Levin, for the Committee on Health and Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 760) recommending that S.B. No. 1032, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Chun Oakland, jointly with Senators Fukunaga and Levin, for the Committee on Health and Human Services and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 761) recommending that S.B. No. 1034, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senator Chun Oakland, jointly with Senators Fukunaga and Levin, for the Committee on Health and Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 762) recommending that S.B. No. 1229, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1229, 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, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 763) recommending that S.B. No. 105, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 763 and S.B. No. 105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REFORM OF STATE GOVERNMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 764) recommending that S.B. No. 450, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 764 and S.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 765) recommending that S.B. No. 536, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 765 and S.B. No. 536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 766) recommending that S.B. No. 600, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 766 and S.B. No. 600, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 767) recommending that S.B. No. 646, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 767 and S.B. No. 646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 768) recommending that S.B. No. 654 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 769) recommending that S.B. No. 1031, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 769 and S.B. No. 1031, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 770) recommending that S.B. No. 1033, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 770 and S.B. No. 1033, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 771) recommending that S.B. No. 1055, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 771 and S.B. No. 1055, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 772) recommending that S.B. No. 1136, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 772 and S.B. No. 1136, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 773) recommending that S.B. No. 1176, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 773 and S.B. No. 1176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LICENSING OF SINGLE-MEMBER LIMITED LIABILITY COMPANIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 774) recommending that S.B. No. 1272, 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. 1272, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 775) recommending that S.B. No. 366, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 775 and S.B. No. 366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 776) recommending that S.B. No. 456, 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. 456, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 777) recommending that S.B. No. 571, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 777 and S.B. No. 571, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST

INDIVIDUAL CLAIMS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 778) recommending that S.B. No. 656, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 778 and S.B. No. 656, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 779) recommending that S.B. No. 953, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 779 and S.B. No. 953, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 780) recommending that S.B. No. 1082, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 780 and S.B. No. 1082, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 781) recommending that S.B. No. 1146, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 781 and S.B. No. 1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 782) recommending that S.B. No. 1147, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 782 and S.B. No. 1147, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 783) recommending that S.B. No. 1158, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 783 and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 784) 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. 784 and S.B. No. 1269, S.D. 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 785) 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 Chun, 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 MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 786) recommending that S.B. No. 1438, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 786 and S.B. No. 1438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCUREMENT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 787) recommending that S.B. No. 1542 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 787 and S.B. No. 1542, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 788) recommending that S.B. No. 513, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 788 and S.B. No. 513, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 789) recommending that S.B. No. 845, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 845, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 790) recommending that S.B. No. 837, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 790 and S.B. No. 837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGED HEALTH CARE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 791) recommending that S.B. No. 1073, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 791 and S.B. No. 1073, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 792) recommending that S.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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1510, 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 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 793) recommending that S.B. No. 665, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 793 and S.B. No. 665, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 794) recommending that S.B. No. 783, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 795) recommending that S.B. No. 785, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 785, 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 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 796) recommending that S.B. No. 873, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 797) recommending that S.B. No. 984, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 GENERAL CASUALTY INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 798) recommending that S.B. No. 4, 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. 4, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ADMINISTRATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799) recommending that S.B. No. 46, 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. 46, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800) recommending that S.B. No. 175, 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. 175, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801) recommending that S.B. No. 392, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 801 and S.B. No. 392, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802) recommending that S.B. No. 425, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803) recommending that S.B. No. 426, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 803 and S.B. No. 426, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804) recommending that S.B. No. 686, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 804 and S.B. No. 686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805) recommending that S.B. No. 792, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 805 and S.B. No. 792, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806) recommending that S.B. No. 803, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 806 and S.B. No. 803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE RESTRUCTURING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807) recommending that S.B. No. 825, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 807 and S.B. No. 825, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808) recommending that S.B. No. 860 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 808 and S.B. No. 860, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809) recommending that S.B. No. 866, 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. 866, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEMONSTRATION PROJECT FOR LONG-TERM CARE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810) recommending that S.B. No. 887 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 810 and S.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811) recommending that S.B. No. 959, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 811 and S.B. No. 959, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812) recommending that S.B. No. 1138, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 812 and S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813) recommending that S.B. No. 1129, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 813 and S.B. No. 1129, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 814) recommending that S.B. No. 1183, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 814 and S.B. No. 1183, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815) recommending that S.B. No. 1303, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 815 and S.B. No. 1303, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816) recommending that S.B. No. 1325, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1325, 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 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817) recommending that S.B. No. 1345, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 817 and S.B. No. 1345, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 818) recommending that S.B. No. 1452 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 818 and S.B. No. 1452, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 819) recommending that S.B. No. 1501, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 819 and S.B. No. 1501, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 820) recommending that S.B. No. 1583, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 820 and S.B. No. 1583, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 1635, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 821 and S.B. No. 1635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 822) recommending that S.B. No. 1639, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 822 and S.B. No. 1639, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL," was deferred until Tuesday, March 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 1046, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 823 and S.B. No. 1046, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 824) recommending that S.B. No. 590, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 590, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 825) recommending that S.B. No. 591, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AND VISITATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 826) recommending that S.B. No. 592, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

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

592, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 827) recommending that S.B. No. 594, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 594, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 828) recommending that S.B. No. 599, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 599, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 829) recommending that S.B. No. 176 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 829 and S.B. No. 176, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 830) recommending that S.B. No. 606, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS WEAPONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 831) recommending that S.B. No. 607, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 607, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 832) 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 Chun, 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 SENTENCING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 833) recommending that S.B. No. 851, 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. 851, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 896, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 835) recommending that S.B. No. 919, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 919, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 836) recommending that S.B. No. 924 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 924, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 1003, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 CHILD SUPPORT ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 1022, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 838 and S.B. No. 1022, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH-CARE DECISIONS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 1048, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 839 and S.B. No. 1048, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 840) recommending that S.B. No. 1050, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 840 and S.B. No. 1050, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 841) recommending that S.B. No. 1051, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 841 and S.B. No. 1051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 1052, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 842 and S.B. No. 1052, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 843) 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 Chun, 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 FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 21, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 36, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 845 and S.B. No. 36, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 42, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 846 and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PUBLIC LAND LIABILITY IMMUNITY," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 847) recommending that S.B. No. 186, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 186, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 848) recommending that S.B. No. 235, 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. 235, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 849) recommending that S.B. No. 236, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 849 and S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 484, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 850 and S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 628, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 628, 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, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 629, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 629, 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, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 630, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 631, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 855) recommending that S.B. No. 777, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 855 and S.B. No. 777, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 856) recommending that S.B. No. 906 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 857) recommending that S.B. No. 913, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857 and S.B. No. 913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 858) recommending that S.B. No. 914 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 914, entitled: "A BILL FOR AN ACT RELATING TO VOTE COUNT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 859) recommending that S.B. No. 915, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 860) recommending that S.B. No. 947, 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. 947, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861) recommending that S.B. No. 949, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 861 and S.B. No. 949, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 862) recommending that S.B. No. 1024, 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. 1024, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 863) recommending that S.B. No. 1088, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 863 and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 864) recommending that S.B. No. 1091, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 864 and S.B. No. 1091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 865) recommending that S.B. No. 1095 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 865 and S.B. No. 1095, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 866) recommending that S.B. No. 1109, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 866 and S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF BREACH OR DEFAULT," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 867) recommending that S.B. No. 1142, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 867 and S.B. No. 1142, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 868) recommending that S.B. No. 1320, 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. 1320, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 869) recommending that S.B. No. 1421, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1421, 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 9, 1999.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 870) recommending that S.B. No. 1462, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1462, 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, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 871) recommending that S.B. No. 1502, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 CAMPAIGN SPENDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 872) recommending that S.B. No. 166, 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. 166, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 873) recommending that S.B. No. 613, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 873 and S.B. No. 613, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 874) recommending that S.B. No. 618, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATHOLOGICAL INTOXICATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 875) recommending that S.B. No. 619, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 619, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 876) recommending that S.B. No. 1035, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 876 and S.B. No. 1035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 877) recommending that S.B. No. 1160, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 877 and S.B. No. 1160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 878) recommending that S.B. No. 1212, 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. 1212, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 879) recommending that S.B. No. 155, 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. 155, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 880) recommending that S.B. No. 162, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 880 and S.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 881) recommending that S.B. No. 660, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 881 and S.B. No. 660, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 882) recommending that S.B. No. 674, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 882 and S.B. No. 674, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 883) recommending that S.B. No. 685, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 883 and S.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES UNDER TWO OR MORE NAMES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 884) recommending that S.B. No. 709, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 884 and S.B. No. 709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 885) recommending that S.B. No. 898 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 898, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 886) recommending that S.B. No. 921 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, 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 DISTRICT COURT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 887) recommending that S.B. No. 922, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 887 and S.B. No. 922, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 888) recommending that S.B. No. 970, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 888 and S.B. No. 970, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 889) recommending that S.B. No. 1086 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 889 and S.B. No. 1086, entitled: "A BILL FOR AN ACT RELATING TO BOATING PENALTIES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 890) recommending that S.B. No. 1107 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1107, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 891) recommending that S.B. No. 1273, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 891 and S.B. No. 1273, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS FOR TEACHER TRAINEES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 892) recommending that S.B. No. 1469 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1469, entitled: "A BILL FOR AN ACT RELATING TO THE ADJUDICATION OF TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 893) recommending that S.B. No. 1485, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 894) recommending that S.B. No. 584, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL VIOLENT OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 895) recommending that S.B. No. 585, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 585, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 896) recommending that S.B. No. 586, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 897) recommending that S.B. No. 588, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 898) recommending that S.B. No. 616, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 616, 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, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 899) recommending that S.B. No. 829, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 829, 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 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 900) 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 Chun, 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 HABITUAL CRIMINAL BEHAVIOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 901) recommending that S.B. No. 1119, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 902) recommending that S.B. No. 1120, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 903) recommending that S.B. No. 1151, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 904) recommending that S.B. No. 1254, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 905) recommending that S.B. No. 1379, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 905 and S.B. No. 1379, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES," was deferred until Tuesday, March 9, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 906) recommending that S.B. No. 1568, 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. 1568, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO CRIME," was deferred until Tuesday, March 9, 1999.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 9, 1999.

TWENTY-SEVENTH DAY

Tuesday, March 9, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 10:23 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Daryl Yamada, Moanalua Gardens Missionary Church, after which the Roll was called showing all Senators present.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 83 to 160) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 83, transmitting H.B. No. 19, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 19, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," 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 Commerce and Consumer Protection.

Hse. Com. No. 84, transmitting H.B. No. 81, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONUS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 85, transmitting H.B. No. 98, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 98, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONUS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 86, transmitting H.B. No. 133, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 133, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE SMALL BUSINESS DEFENDER POSITION AND OTHER SUPPORT PERSONNEL ESTABLISHED UNDER ACT 168, SESSION LAWS OF HAWAII 1998," 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. 87, transmitting H.B. No. 139, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 139, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," 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. 88, transmitting H.B. No. 148, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 148, 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. 89, transmitting H.B. No. 152, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 152, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHER EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 90, transmitting H.B. No. 163, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 163, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JURORS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 91, transmitting H.B. No. 164, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 164, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP IN THE SENATE OR HOUSE OF REPRESENTATIVES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 92, transmitting H.B. No. 180, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 180, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN ALIEN SPECIES COORDINATOR," 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. 221, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 221, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM 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. 94, transmitting H.B. No. 248, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 248, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 95, transmitting H.B. No. 274, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 274, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 96, transmitting H.B. No. 307, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 307, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 97, transmitting H.B. No. 326, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 326, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 98, transmitting H.B. No. 333, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 333, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," 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. 374, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 374, H.D. 2, 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 Ways and Means.

Hse. Com. No. 100, transmitting H.B. No. 440, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 440, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 101, transmitting H.B. No. 460, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 460, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 102, transmitting H.B. No. 461, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 461, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL DECISIONS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 103, transmitting H.B. No. 512, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 512, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 104, transmitting H.B. No. 522, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 522, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 105, transmitting H.B. No. 532, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 532, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 106, transmitting H.B. No. 547, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 547, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 107, transmitting H.B. No. 550, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 550, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE RENTAL HOUSING TRUST FUND," 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. 108, transmitting H.B. No. 557, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 557, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND 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. 109, transmitting H.B. No. 622, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 622, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 110, transmitting H.B. No. 634, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 634, H.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 111, transmitting H.B. No. 743, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 743, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 112, transmitting H.B. No. 842, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 842, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 113, transmitting H.B. No. 854, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 854, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 114, transmitting H.B. No. 895, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 895, H.D. 2, 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 Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 115, transmitting H.B. No. 898, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 898, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," 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. 948, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 948, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," 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. 979, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 979, H.D. 2, 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. 980, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 980, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER 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. 119, transmitting H.B. No. 985, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 985, 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. 120, transmitting H.B. No. 986, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 986, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 121, transmitting H.B. No. 988, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 988, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR

STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 122, transmitting H.B. No. 989, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 989, H.D. 1, 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. 123, transmitting H.B. No. 992, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 992, 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.

Hse. Com. No. 124, transmitting H.B. No. 1006, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1006, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 125, transmitting H.B. No. 1012, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1012, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII 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. 126, transmitting H.B. No. 1017, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1017, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," 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. 127, transmitting H.B. No. 1018, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1018, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," 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. 128, transmitting H.B. No. 1035, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1035, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 129, transmitting H.B. No. 1036, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1036, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 130, transmitting H.B. No. 1042, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1042, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 131, transmitting H.B. No. 1043, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1043, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 132, transmitting H.B. No. 1049, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1049, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 133, transmitting H.B. No. 1061, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1061, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 134, transmitting H.B. No. 1064, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1064, 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 and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 135, transmitting H.B. No. 1081, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1081, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 136, transmitting H.B. No. 1088, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1088, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 137, transmitting H.B. No. 1115, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1115, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 138, transmitting H.B. No. 1117, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1117, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 139, transmitting H.B. No. 1119, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1119, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 140, transmitting H.B. No. 1121, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 141, transmitting H.B. No. 1136, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1136, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG FORMULARY," passed First Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 142, transmitting H.B. No. 1144, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," passed First Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 143, transmitting H.B. No. 1153, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1153, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 144, transmitting H.B. No. 1165, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 145, transmitting H.B. No. 1166, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 146, transmitting H.B. No. 1180, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1180, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 147, transmitting H.B. No. 1181, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1181, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 148, transmitting H.B. No. 1197, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1197, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 149, transmitting H.B. No. 1274, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1274, 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 Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 150, transmitting H.B. No. 1338, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1338, H.D. 1, 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.

Hse. Com. No. 151, transmitting H.B. No. 1352, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1352, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OCEANOGRAPHIC RESEARCH," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 152, transmitting H.B. No. 1367, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1367, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 153, transmitting H.B. No. 1380, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1380, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN INTERIM APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESOURCE MANAGEMENT DIVISION," 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. 154, transmitting H.B. No. 1436, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1436, H.D. 1, 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. 155, transmitting H.B. No. 1454, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1454, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO 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. 156, transmitting H.B. No. 1541, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1541, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 157, transmitting H.B. No. 1575, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1575, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 158, transmitting H.B. No. 1632, H.D. 3, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1632, H.D. 3, 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 Ways and Means.

Hse. Com. No. 159, transmitting H.B. No. 1660, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1660, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 160, transmitting H.B. No. 1663, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1663, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

ORDER OF THE DAY

RECOMMITTAL OF SENATE BILLS

Stand. Com. Rep. No. 766 (S.B. No. 600, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 766 and S.B. No. 600, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 791 (S.B. No. 1073, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 791 and S.B. No. 1073, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," were recommitted to the Committee on Commerce and Consumer Protection.

THIRD READING

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

Senator Fukunaga moved that S.B. No. 44, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga rose in support of the measure and said:

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

"Mr. President, as part of the package submitted by your Majority, we are proposing by this legislation to address the export and import of services, specifically, taxation of these services.

"As the world's economy becomes a truly global marketplace, we need to insure that Hawaii will maintain a foothold and build an even greater niche in that marketplace. Hawaii businesses are currently at a competitive disadvantage as the price of services exported out of state includes the general excise tax. Hawaii businesses that perform services in-state for out-of-state consumers are likewise at a disadvantage since an out-of-state provider of that same service would be able to offer it without the impact of the general excise tax. Senate bill 44 would remove these disadvantages by exempting exported services from the general excise tax and by importing the use tax on services imported into the State for re-sale or consumption.

"We believe that this is an important step in helping Hawaii businesses truly do what they have been asking us to do, which is to relieve them of the pressures and burdens which stifle them in the area of global competitiveness.

"For these reasons, Mr. President, we urge all of our colleagues to vote in support of this measure. Thank you."

The motion was put by the Chair and carried, S.B. No. 44, 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. 638, S.D. 1:

Senator Fukunaga moved that S.B. No. 638, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President, my remarks are directed in favor of this bill along with some of the other bills that we have in our tax package.

"As long as I can remember, economists and others have reminded government officials that 'government does not create jobs, the private sector creates jobs.' And this is certainly true in a sense, but it is also true that with Hawaii's economy in the doldrums, we are being told and we have come to believe that government must act to unleash the entrepreneurial spirit of the people, if our economy is to begin rolling again. More specifically, we have heard from the stakeholders and from the economists; and from the apparent lesson that's been taught in Mainland states; and we have come to believe that if we can reduce taxes and allow the private sector to be free of inappropriate regulations, our economy will turn around. Hawaii will prosper, businesses will flourish, and employment will increase. And, hopefully, our friends and neighbors will no longer have to emigrate to find employment.

"Today we embark, or actually we continue, down that path. We took a giant step a year ago, when we listened to the private sector and passed laws which were meant to reduce business regulation and which also put in place the largest tax cut in Hawaii's history. Today, we ask our colleagues to take another giant step along that same path. Last year it was the income tax that was reduced, a cut which is estimated to lower the tax burden on our constituents by well over \$100 million a year. Now, in response to the business community, we are proposing another significant tax cut, one which would reduce government revenue by an estimated \$150 million per year when fully phased in. This is what the private sector has asked for. We believe it is the right thing to do. And it is a position that the Senate takes with pride.

"But please make no mistake. There is risk involved. We all have heard that there is no free lunch. Well, there is no free tax cut either. In fact, when we look back at today, we may recognize this day as being the easy part. In a couple of weeks, we will be submitting for your consideration a budget -- a balanced budget which will take into account the revenue reductions that we vote on today. That is going to be painful, because reduced revenue means reduced services. Many of our constituents have needs that may be impossible to meet under our new economic regime. But we think that this is a risk that we need to take. The Senate Majority has pledged to get the economy rolling again, and to the extent that government can influence that outcome, we must do our part. If our tax package today is fairly evaluated, we believe it will be recognized as an effort to improve the business climate in Hawaii by reducing the cost of doing business and, as a valuable consequence, reducing the cost of living for all our people. That is our best hope for turning our economy around.

"Thank you."

Senator Slom rose in support of the measure and said:

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

"I want to congratulate the Ways and Means Committee and thank my colleagues for putting this bill on a fast track. It has come, unfortunately, years late, but there still is time to improve our business climate to heed the wishes and the warnings of the small business community which is the backbone of our State. And I would suggest that we pass this and urge our colleagues in the House to pass the bill speedily so that we can send it to the Governor.

"Thank you, Mr. President."

Senator Iwase also rose to speak in support of the measure and stated:

"Mr. President, I'm rising to speak in support of the bill.

"Mr. President, I concur with the co-chair, the previous speaker, about steps that we've taken to deal with the tax issue. I believe it was the philosopher Lao-tse who once said that 'A journey of a thousand miles begins under one's feet,' and we've taken two steps over the past two years. Pyramiding is certainly one of those issues which had to be addressed this session and I'm glad we're beginning to address the issue.

"I hope, also, that we take a third step. These steps have been hesitant, but I hope we take them. The third step is to eliminate the GET. It is an all pervasive, all invasive tax which I believe can be eliminated and replaced with a different system of taxation. Until we do that, we will continue to deal with the issues of pyramiding and all of the other problems created by GET. There are bills before this legislative body that deal with the elimination of GET in a phased-in, responsible, reasonable fashion. And I hope we take those up next year.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 638, 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. 1079, S.D. 1:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 1079, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 566 (S.B. No. 675, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 566 was adopted and S.B. No. 675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 775, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY PROVIDERS AND ACTIVITY DESKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 776:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 776, 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, 25. Noes, none.

Stand. Com. Rep. No. 570 (S.B. No. 1057):

On motion by Senator Nakata, seconded by Senator M. Ige and carried, Stand. Com. Rep. No. 570 was adopted and S.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 572 (S.B. No. 973, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 572 was adopted and S.B. No. 973, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 573 (S.B. No. 666, S.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Stand. Com. Rep. No. 573 was adopted and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 574 (S.B. No. 1270, S.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Stand. Com. Rep. No. 574 was adopted and S.B. No. 1270, 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. 1307, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 1307, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1089, S.D. 1:

On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 1089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 677, S.D. 1:

On motion by Senator Nakata, seconded by Senator Kawamoto and carried, S.B. No. 677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER IMPROVEMENT PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 579 (S.B. No. 808):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 579 was adopted and S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1460:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1460, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 582 (S.B. No. 1557):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 582 was adopted and S.B. No. 1557, 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.

Stand. Com. Rep. No. 587 (S.B. No. 957, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 587 was adopted and S.B. No. 957, S.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, 25. Noes, none.

Stand. Com. Rep. No. 588 (S.B. No. 1102, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 588 was adopted and S.B. No. 1102, 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, 25. Noes, none.

Stand. Com. Rep. No. 589 (S.B. No. 1124, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 589 was adopted and S.B. No. 1124, S.D. 2, 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.

Stand. Com. Rep. No. 593 (S.B. No. 1261, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 593 was adopted and S.B. No. 1261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," 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. 1288, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 595 was adopted and S.B. No. 1288, 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, 25. Noes, none.

Stand. Com. Rep. No. 597 (S.B. No. 1326):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 597 was adopted and S.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS," 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. 5, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 599 was adopted and S.B. No. 5, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 600 (S.B. No. 570, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 600 was adopted and S.B. No. 570, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT," 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. 1062, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 603 was adopted and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARK LEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 604 (S.B. No. 1071, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 604 was adopted and S.B. No. 1071, S.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. 605 (S.B. No. 1072, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 605 was adopted and S.B. No. 1072, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 606 (S.B. No. 1097, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 606 was adopted and S.B. No. 1097, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIMBER MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 607 (S.B. No. 41, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 607 was adopted and S.B. No. 41, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 608 (S.B. No. 185, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 608 was adopted and S.B.

No. 185, 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. 609 (S.B. No. 1155, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 609 was adopted and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 612 (S.B. No. 1274):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 612 was adopted and S.B. No. 1274, 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. 614 (S.B. No. 876, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 614 was adopted and S.B. No. 876, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 619 (S.B. No. 180, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 619 was adopted and S.B. No. 180, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 623 (S.B. No. 992, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 623 was adopted and S.B. No. 992, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 624 (S.B. No. 1028, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 624 was adopted and S.B. No. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 625 (S.B. No. 1049, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 625 was adopted and S.B.

No. 1049, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," 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. 1053):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 626 was adopted and S.B. No. 1053, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 627 (S.B. No. 1054):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 627 was adopted and S.B. No. 1054, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 629 (S.B. No. 1609, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 629 was adopted and S.B. No. 1609, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 630 (S.B. No. 1610):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 630 was adopted and S.B. No. 1610, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 632 (S.B. No. 888):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 632 was adopted and S.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 633 (S.B. No. 889, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 633 was adopted and S.B. No. 889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 636 (S.B. No. 926, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 636 was adopted and S.B. No. 926, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 637 (S.B. No. 1016, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 637 was adopted and S.B. No. 1016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 638 (S.B. No. 30, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 638 was adopted and S.B. No. 30, 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, 25. Noes, none.

Stand. Com. Rep. No. 639 (S.B. No. 1042, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 639 was adopted and S.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECRUITMENT OF EMPLOYEES FOR STATE SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 640 (S.B. No. 1275, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 640 was adopted and S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 644 (S.B. No. 1074):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 644 was adopted and S.B. No. 1074, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 20, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 20, 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. 238, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 238, 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. 134, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 830, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 650 (S.B. No. 844, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 650 was adopted and S.B. No. 844, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 651 (S.B. No. 1101, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 651 was adopted and S.B. No. 1101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 653 (S.B. No. 780, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 653 was adopted and S.B. No. 780, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 658 (S.B. No. 951, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 658 was adopted and S.B. No. 951, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," 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. 1011):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 1011, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 660 (S.B. No. 1154):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 660 was adopted and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 661 (S.B. No. 1181, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 661 was adopted and S.B. No. 1181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATION FOR 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. 662 (S.B. No. 1156, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 662 was adopted and S.B. No. 1156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 663 (S.B. No. 1184, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 663 was adopted and S.B. No. 1184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF FINANCING AGREEMENTS FOR 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. 667 (S.B. No. 1299, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 667 was adopted and S.B. No. 1299, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM EXECUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 668 (S.B. No. 1641, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 668 was adopted and S.B. No. 1641, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 669 (S.B. No. 119, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 669 was adopted and S.B. No. 119, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS, MAINTENANCE, AND IMPROVEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 670 (S.B. No. 717):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 670 was adopted and S.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 671 (S.B. No. 836, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 671 was adopted and S.B. No. 836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 672 (S.B. No. 1006, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 672 was adopted and S.B. No. 1006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION OF GROUP LIVING HOUSING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 674 (S.B. No. 1058, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 674 was adopted and S.B. No. 1058, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 677 (S.B. No. 900, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 677 was adopted and S.B. No. 900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 32:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 32, 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.

S.B. No. 1245, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1517, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1517, 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.

Stand. Com. Rep. No. 694 (S.B. No. 33, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 694 was adopted and S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 695 (S.B. No. 43, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 695 was adopted and S.B. No. 43, 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. 696 (S.B. No. 285, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 696 was adopted and S.B. No. 285, 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.

Stand. Com. Rep. No. 697 (S.B. No. 604, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 697 was adopted and S.B. No. 604, S.D. 2, 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. 699 (S.B. No. 1070, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 699 was adopted and S.B. No. 1070, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION 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. 700 (S.B. No. 1250, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 700 was adopted and S.B. No. 1250, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 702 (S.B. No. 1431, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 702 was adopted and S.B. No. 1431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 703 (S.B. No. 1465, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 703 was adopted and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 704 (S.B. No. 1481, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 704 was adopted and S.B. No. 1481, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC.," 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. 1499, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 706 was adopted and S.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 707 (S.B. No. 1512, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 707 was adopted and S.B. No. 1512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 511, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 511, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITY PAYMENTS," 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. 700, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 710 was adopted and S.B. No. 700, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 711 (S.B. No. 818, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 711 was adopted and S.B. No. 818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," 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. 47, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 715 was adopted and S.B. No. 47, 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.

Stand. Com. Rep. No. 716 (S.B. No. 178):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 716 was adopted and S.B. No. 178, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTHY START," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 717 (S.B. No. 194, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 717 was adopted and S.B. No. 194, S.D. 2, 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. 1117, S.D. 1:

On motion by Senator Tam, seconded by Senator Matsuura and carried, S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC 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. 723 (S.B. No. 788, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 723 was adopted and S.B. No. 788, S.D. 2, 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.

Stand. Com. Rep. No. 724 (S.B. No. 106, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 724 was adopted and S.B. No. 106, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 725 (S.B. No. 172, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 725 was adopted and S.B. No. 172, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 726 (S.B. No. 550, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 726 was adopted and S.B. No. 550, 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. 732 (S.B. No. 1076):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 732 was adopted and S.B. No. 1076, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1177, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1177, 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. 735 (S.B. No. 1178, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 735 was adopted and S.B. No. 1178, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," 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. 1214):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 737 was adopted and S.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARITIME AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 738 (S.B. No. 1281, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 738 was adopted and S.B. No. 1281, S.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, 25. Noes, none.

Stand. Com. Rep. No. 739 (S.B. No. 1466, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 739 was adopted and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE RISK MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 742 (S.B. No. 1607, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 742 was adopted and S.B. No. 1607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION," 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. 17, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 743 was adopted and S.B. No. 17, S.D. 2, 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.

Stand. Com. Rep. No. 745 (S.B. No. 157, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 745 was adopted and S.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS," 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. 580):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 747 was adopted and S.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO PROJECT FAITH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 749 (S.B. No. 994, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 749 was adopted and S.B. No. 994, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPENDENT ADULT AND ELDER ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 750 (S.B. No. 1137):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 750 was adopted and S.B. No. 1137, 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.

Stand. Com. Rep. No. 752 (S.B. No. 1271, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 752 was adopted and S.B. No. 1271, 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. 756 (S.B. No. 1475, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 756 was adopted and S.B. No. 1475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 757 (S.B. No. 1504, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 757 was adopted and S.B. No. 1504, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 758 (S.B. No. 737, S.D. 2):

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, Stand. Com. Rep. No. 758 was adopted and S.B. No. 737, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 763 (S.B. No. 105, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 763 was adopted and S.B. No. 105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REFORM OF 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. 769 (S.B. No. 1031, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 769 be adopted and S.B. No. 1031, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Hanabusa requested a conflict ruling as follows:

"Mr. President, I am requesting a conflict of interest ruling from you regarding Stand. Com. Rep. No. 769 and S.B. No. 1031 based upon the potential conflict that may arise by my representation of a party against the Hawaii Health Systems Corporation."

The Chair ruled that Senator Hanabusa was not in conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 769 was adopted and S.B. No. 1031, S.D. 2, entitled: "A BILL FOR AN ACT MAKING 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, 25. Noes, none.

Stand. Com. Rep. No. 770 (S.B. No. 1033, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 770 was adopted and S.B. No. 1033, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 771 (S.B. No. 1055, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 771 was adopted and S.B. No. 1055, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 773 (S.B. No. 1176, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 773 was adopted and S.B. No. 1176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LICENSING OF SINGLE-MEMBER LIMITED LIABILITY COMPANIES," 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. 366, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 775 was adopted and S.B. No. 366, 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, 25. Noes, none.

Stand. Com. Rep. No. 776 (S.B. No. 456, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 776 was adopted and S.B. No. 456, S.D. 2, entitled: "A BILL FOR AN ACT RELATING

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 781 (S.B. No. 1146, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 781 was adopted and S.B. No. 1146, 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. 782 (S.B. No. 1147, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 782 was adopted and S.B. No. 1147, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII 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. 783 (S.B. No. 1158, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 783 was adopted and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," 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. 1269, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 784 was adopted and S.B. No. 1269, S.D. 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," 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 Fukunaga, seconded by Senator Levin and carried, S.B. No. 1300, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 787 (S.B. No. 1542):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 787 was adopted and S.B. No. 1542, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 793 (S.B. No. 665, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 793 was adopted and S.B. No. 665, S.D. 2, 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.

S.B. No. 783, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 873, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 984, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL CASUALTY INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 924:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 924, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1003, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1003, 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.

Stand. Com. Rep. No. 838 (S.B. No. 1022, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 838 was adopted and S.B. No. 1022, 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.

Stand. Com. Rep. No. 839 (S.B. No. 1048, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 839 was adopted and S.B. No. 1048, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," 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. 1051, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 841 was adopted and S.B. No. 1051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 842 (S.B. No. 1052, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 842 was adopted and S.B. No. 1052, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1122, 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.

S.B. No. 21, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 846 (S.B. No. 42, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 846 was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 186, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 186, 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. 848 (S.B. No. 235, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 848 was adopted and S.B. No. 235, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW," 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. 484, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 850 was adopted and S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 629, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 629, 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, 25. Noes, none.

S.B. No. 630, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 631, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 906:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," 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. 913, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 857 was adopted and S.B. No. 913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 915, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES," 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. 947, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 860 was adopted and S.B. No. 947, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," 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. 949, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 861 was adopted and S.B. No. 949, 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.

Stand. Com. Rep. No. 863 (S.B. No. 1088, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 863 was adopted and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 864 (S.B. No. 1091, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 864 was adopted and S.B. No. 1091, 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. 865 (S.B. No. 1095):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 865 was adopted and S.B. No. 1095, 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, 25. Noes, none.

Stand. Com. Rep. No. 866 (S.B. No. 1109, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 866 was adopted and S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF BREACH OR DEFAULT," 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. 1142, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 867 was adopted and S.B. No. 1142, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1421, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1421, 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. 1502, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1502, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 872 (S.B. No. 166, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 872 was adopted and S.B. No. 166, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," 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. 613, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 873 was adopted and S.B. No. 613, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 618, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATHOLOGICAL INTOXICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 619, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 619, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY," 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. 1035, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 876 was adopted and S.B. No. 1035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR 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. 878 (S.B. No. 1212, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 878 was adopted and S.B. No. 1212, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," 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. 155, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 879 was adopted and S.B. No. 155, S.D. 2, 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.

Stand. Com. Rep. No. 880 (S.B. No. 162, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 880 was adopted and S.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," 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. 660, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 881 was adopted and S.B. No. 660, S.D. 1, 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. 882 (S.B. No. 674, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 882 was adopted and S.B. No. 674, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," 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. 685, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 883 was adopted and S.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES UNDER TWO OR MORE NAMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 898:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 898, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 921:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 921, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 887 (S.B. No. 922, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 887 was adopted and S.B. No. 922, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 888 (S.B. No. 970, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 888 was adopted and S.B. No. 970, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1107:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1107, 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, 25. Noes, none.

Stand. Com. Rep. No. 891 (S.B. No. 1273, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 891 was adopted and S.B. No. 1273, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS FOR TEACHER TRAINEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 584, S.D. 1:

By unanimous consent, action on S.B. No. 584, S.D. 1, was deferred to the end of the calendar.

S.B. No. 585, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Fukunaga and carried, S.B. No. 585, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS,"

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

Ayes, 25. Noes, none.

S.B. No. 586, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 586, 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.

S.B. No. 588, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 829, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 829, 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.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1254, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS," 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. 1379, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 905 was adopted and S.B. No. 1379, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES," 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. 1568, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 906 was adopted and S.B. No. 1568, S.D. 2, 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.

At 10:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:47 o'clock a.m.

In accordance with Senate Rule 85(2), Senator Chun moved that Senate Rule 53 be suspended for the purpose of considering Floor Amendments being offered, seconded by Senator Ihara and carried.

Stand. Com. Rep. No. 613 (S.B. No. 1586, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 613 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 1586, S.D.1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 1) to S.B. No. 1586, S.D.1:

Senate Bill No. 1586, S.D. 1, is amended as follows:

1. By adding a new Section 2 to read as follows:

"SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§302A- Department of education attorneys. The board of education may appoint or retain by contract one or more attorneys who are independent of the attorney general, to provide legal services to the department of education for issues involving children with disabilities, including advice and assistance to ensure the lawful and efficient administration and operation of the department of education in the area of children with disabilities. The board of education may fix the compensation of the attorneys appointed pursuant to this section. Attorneys appointed or retained by contract shall be exempted from chapters 76, 77, and 89."

2. By adding a new Section 3 to read as follows:

"SECTION 3. Section 28-8.3, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) No department of the State other than the attorney general may employ or retain any attorney, by contract or otherwise, for the purpose of representing the State or the department in any litigation, rendering legal counsel to the department, or drafting legal documents for the department; provided that the foregoing provision shall not apply to the employment or retention of attorneys:

- (1) By the public utilities commission, the labor and industrial relations appeals board, and the Hawaii labor relations board;
- (2) By any court or judicial or legislative office of the State;
- (3) By the legislative reference bureau;
- (4) By any compilation commission that may be constituted from time to time;
- (5) By the real estate commission for any action involving the real estate recovery fund;

(6) By the contractors license board for any action involving the contractors recovery fund;

(7) By the trustees for any action involving the travel agency recovery fund;

(8) By the office of Hawaiian affairs;

(9) By the department of commerce and consumer affairs for the enforcement of violations of chapters 480 and 485;

(10) As grand jury counsel;

(11) By the Hawaiian home lands trust individual claims review panel;

(12) By the Hawaii health systems corporation or any of its facilities;

(13) By the auditor;

(14) By the office of ombudsman;

(15) By the insurance division;

(16) By the University of Hawaii; [or]

(17) By the board of education; or

[(17)] (18) By a department, in the event the attorney general, for reasons deemed by the attorney general good and sufficient, declines, to employ or retain an attorney for a department; provided that the governor thereupon waives the provision of this section."

2. By amending subsection (c) to read:

"(c) Every attorney employed by any department on a full-time basis, except an attorney employed by the public utilities commission, the labor and industrial relations appeals board, the Hawaii labor relations board, the office of Hawaiian affairs, the Hawaii health systems corporation, the department of commerce and consumer affairs in prosecution of consumer complaints, insurance division, the University of Hawaii, the board of education, the Hawaiian home lands trust individual claims review panel, or as grand jury counsel, shall be a deputy attorney general."

3. By redesignating Sections 2, 3, 4, and 5 as sections 4, 5, 6, and 7.

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin then stated:

"Mr. President, Floor Amendment No. 1 would incorporate the language which was adopted by the Ways and Means Committee in S.B. No. 669 and it would allow the Department of Education to hire attorneys to help it better deal with Felix consent decree issues."

The motion to adopt Floor Amendment No. 1 was put by the Chair and carried.

By unanimous consent, S.B. No. 1586, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 616 (S.B. No. 1519, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 616 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that S.B. No. 1519, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 2) to S.B. No. 1519, S.D.2:

SECTION 1. Senate Bill No. 1519, S.D. 2, is amended as follows:

1. By adding three new sections after line 5, on page 19 to read:

"SECTION 3. The legislature finds that it is in the best interest of the State to encourage rental housing that does not compete with private developers in the housing sales market.

The legislature further finds that the greatest need for housing in the State of Hawaii is for families below eighty per cent of the median income and that the most effective way to perpetuate housing for low-income families is through nonprofit development.

In 1992, the rental housing trust fund was created under Act 308, Session Laws Hawaii, 1992. The legislature created this fund to provide loans and grants for the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of rental housing units.

As of June 30, 1998, the rental housing trust fund commission had committed project award loans to twenty-one affordable rental developments. Together they total 1,473 units of affordable rental housing. Projects assisted by the rental housing trust fund, provide low interest, flexible term loans for low income housing on Oahu, Maui, Kauai, and Hawaii.

The purpose of sections 4 and 5 of this Act is to authorize general obligation bonds and to appropriate money to the rental housing trust fund to encourage the development and availability of low income rental housing throughout the State of Hawaii.

SECTION 4. The director of finance is authorized to issue general obligation bonds in the sum of \$, or so much thereof as may be necessary, and the same sum, or so much thereof as may be necessary, is appropriated for fiscal year 1999-2000 to be paid into the rental housing trust fund created in section 201G-432, Hawaii Revised Statutes.

SECTION 5. The sum appropriated shall be expended by the housing and community development corporation of Hawaii for the purpose of this Act."

2. By renumbering section 3 as section 6.

3. By renumbering section 4 on page 19 and amending it to read:

"SECTION 7. This Act shall take effect upon its approval; provided that sections 4 and 5 shall take effect on July 1, 1999."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then said:

"Mr. President, this floor amendment incorporates provisions of S.B. No. 202, relating to rental housing trust fund which has been acted upon by the members of the Senate Ways and Means Committee in public hearings."

The motion to adopt Floor Amendment No. 2 was put by the Chair and carried.

By unanimous consent, S.B. No. 1519, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 617 (S.B. No. 102, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 617 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 102, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 3) to S.B. No. 102, S.D.2:

Senate Bill No. 102, S.D. 2, is amended as follows:

1. By inserting the following part number to precede section 1 on page 1, line 1:

"Part I"

2. By inserting a new Part II consisting of sections 5, 6, 7, and 8 to read as follows:

"Part II"

SECTION 5. The Hawaii health systems corporation, with the approval of the governor, is authorized to issue revenue bonds in the sum of \$60,000,000, or so much thereof as may be necessary, and the same sum, or so much thereof as may be necessary, is appropriated for fiscal year 1999-2000, for the following projects:

1. Hilo Medical Center
Plans, design, construction, equipment, and furnishings relating to facilities for Hilo Medical Center. \$25,000,000
2. Kona Community Hospital
Plans, design, construction and furnishings relating to facilities for Kona Community Hospital. \$ 5,000,000
3. Plans, design, construction, equipment, and furnishings relating to facilities for \$30,000,000

SECTION 6. The revenue bonds authorized in this Act shall be issued pursuant to part III of chapter 39, Hawaii Revised Statutes, and chapter 323F, Hawaii Revised Statutes.

SECTION 7. The appropriations made for the capital improvement projects authorized in this Act shall not lapse at the end of fiscal year 1999-2000 for which the appropriations are made; provided that all appropriations made to be expended in fiscal year 1999-2000 which are unencumbered as of June 30, 2001, shall lapse as of that date.

SECTION 8. The sum appropriated shall be expended by the Hawaii health systems corporation for the purposes of part II of this Act."

3. By redesignating sections 5 and 6 as sections 9 and 10, respectively.

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin stated:

"Mr. President, Floor Amendment No. 3 would incorporate into this bill an authorization for the Hawaii Health Systems Corporation to float revenue bonds in the sum of \$60 million. This language was previously incorporated in S.B. No. 1030."

The motion to adopt Floor Amendment No. 3 was put by the Chair and carried.

By unanimous consent, S.B. No. 102, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

At 10:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:58 o'clock a.m.

Stand. Com. Rep. No. 673 (S.B. No. 1036, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 673 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that S.B. No. 1036, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 7) to S.B. No. 1036, S.D.2:

Senate Bill No. 1036, S.D. 2, is amended as follows:

1. By redesignating sections 1 through 13 as Part I.
2. By adding a new Part II to read as follows:

"Part II

SECTION 14. Chapter 333F, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§333F- Developmental disabilities special fund. (a) There is established in the state treasury the developmental disabilities special fund for the purpose of maximizing funds under section 333F-2(e), into which shall be deposited:

- (1) Program income consisting of reimbursement funds received by the State for targeted case management services for individuals with developmental disabilities or mental retardation;
- (2) Appropriations by the legislature to the developmental disabilities special fund; and
- (3) Gifts, grants, and other funds accepted by the department for individuals with developmental disabilities or mental retardation.

(b) Moneys in the developmental disabilities special fund under subsection (a) shall be appropriated solely for Title XIX home and community based waiver services for individuals with developmental disabilities or mental retardation."

SECTION 15. Section 333F-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department shall develop, lead, administer, coordinate, monitor, evaluate, and set direction for a comprehensive system of supports and services for persons with developmental disabilities or mental retardation within the limits of state or federal resources allocated or available for the purposes of this chapter. The department shall administer or may provide available supports and services based on a client-centered plan, which resulted from client choices and decision-making that allowed and respected client self-determination. The department may designate area agencies or managed support organizations for this purpose.

The department's responsibility for persons with developmental disabilities or mental retardation shall be under one administrative unit for the purpose of coordination, monitoring, evaluation, and delivery of services. Not later than June 30, 1999, all programs and services falling under this chapter shall be provided in the community, including services presently provided at Waimano training school and hospital. When the private sector does not provide or is not able to provide the services, the department shall provide the services. Clients at Waimano training school and hospital shall be placed

into community-based programs provided appropriate support services are available.

The department shall convene a panel not later than August 1, 1995, to create a 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. The panel shall consist of but not be limited to consumers, families, representatives from the private sector, employees and employee representatives, professionals, representatives of the University of Hawaii affiliate program, and representatives of the state planning council on developmental disabilities."

SECTION 16. Section 333F-2, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Supports and services the department shall administer include, but shall not be limited to:

- (1) Early identification and evaluation of persons with developmental disabilities or mental retardation;
- (2) Development, planning, and implementation in coordination with other federal, state, and county agencies, of service programs for persons with developmental disabilities or mental retardation;
- (3) Development and provision of service programs in the public or private sectors through chapter 42F or chapter 103F, for persons with developmental disabilities or mental retardation;
- (4) Establishment of a continuum of comprehensive services and residential alternatives in the community to allow persons with developmental disabilities or mental retardation to live in the least restrictive, individually appropriate environment;
- (5) Development and implementation of a program for single-entry access by persons with developmental disabilities or mental retardation to services provided under this chapter as well as referral to, and coordination with, services provided in the private sector or under other federal, state, or county acts, and the development of an individualized service plan by an interdisciplinary team;
- (6) Collaborative and cooperative services with public health and other groups for programs to prevent developmental disabilities or mental retardation;
- (7) Informational and educational services to the general public and to lay and professional groups;
- (8) Consultative services to the judicial branch of government, educational institutions, and health and welfare agencies whether the agencies are public or private;
- (9) Provision of community residential alternatives for persons with developmental disabilities or mental retardation, including group homes and homes meeting ICF/MR standards;
- (10) Provision of care at the skilled nursing level or in a skilled nursing facility, as individually appropriate;
- (11) Provision of other programs, services, or facilities necessary to provide a continuum of care for persons with developmental disabilities or mental retardation;
- (12) Provision of case management services independent of the direct service provider; [and]
- (13) Development and maintenance of respite services in the community for persons with developmental disabilities or mental retardation[.]; and
- (14) Provision of supported living stipend for persons with developmental disabilities or mental retardation choosing to live independently in a setting other than a licensed residential facility."

SECTION 17. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary for fiscal year 1999-2000, and \$ _____, or so much thereof as may be necessary for fiscal year 2000-2001, to provide increased home and community based services for individuals with mental retardation or developmental disabilities and to support changes to the present system so that it is more flexible and responsive to meet the needs of families.

SECTION 18. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary for fiscal year 1999-2000, for the state planning council on developmental disabilities in the department of health to contract with a qualified independent entity to conduct a programmatic evaluation of case management services provided by the department of health.

SECTION 19. There is appropriated out of the developmental disabilities special fund of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary, for fiscal year 1999-2000 and \$ _____, or so much thereof as may be necessary, for fiscal year 2000-2001 for Title XIX home and community based waiver services for individuals with developmental disabilities or mental retardation.

SECTION 20. The sums appropriated in sections 4, 5, and 6 shall be expended by the department of health for the purposes of this Act.

SECTION 21. There is appropriated out of the developmental disabilities special fund of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary, for fiscal year 1999-2000 and \$ _____, or so much thereof as may be necessary, for fiscal year 2000-2001 for Title XIX home and community based waiver services for individuals with developmental disabilities or mental retardation.

The sum appropriated shall be expended by the department of human services for the purposes of this Act.

SECTION 22. The auditor shall conduct an independent financial evaluation of case management services provided by the department of health pursuant to section 333F-2(c)(12), Hawaii Revised Statutes, and report to the legislature no later than twenty days prior to the 2000 regular session."

3. By redesignating sections 14 and 15 as sections 23 and 24, and redesignating those sections Part III.

4. By amending the new section 24 to read:

"SECTION 24. This Act shall take effect on January 1, 2000; provided that Part II of this Act shall take effect on July 1, 1999."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then stated:

"Mr. President, Floor Amendment No. 7 contains the provisions of S.B. No. 154, a bill which had previously been acted upon by the Senate Ways and Means Committee."

The motion to adopt Floor Amendment No. 7 was put by the Chair and carried.

By unanimous consent, S.B. No. 1036, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

At 11:00 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:01 o'clock a.m.

S.B. No. 112:

Senator Tam moved that S.B. No. 112, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Levin then offered the following amendment (Floor Amendment No. 13) to S.B. No. 112:

Senate Bill No. 112, is amended as follows:

1. By designating Section 1 on page 1, line 1, as Part I as follows:

"PART I."

2. By adding a new Part II, consisting of Sections 2, 3, and 4, to read as follows:

"PART II.

SECTION 2. The legislature finds that the real estate commission collects annual fees from condominium owners associations for deposit to the condominium management education fund. In recent years, the number of training and workshop opportunities provided for condominium management has been limited. Therefore, excess funds are at-risk of being deposited into the general fund. In an effort to keep government operations from growing too large, condominium associations need representation on the real estate commission rather than the establishment of a condominium commission.

Funds from the education fund are currently being used for staffing the commission for non-education fund purposes, contrary to legislative intent. The legislature further finds that it should be the condominium associations that make decisions regarding the appropriate use of the fund. Therefore, the purpose of this part is to add two additional seats to the commission who represent the interests of condominium governance organizations and prohibit the use of education funds for purposes other than the condominium education fund.

SECTION 3. Section 467-3, Hawaii Revised Statutes, is amended to read as follows:

"§467-3 Commission, appointments, qualifications, tenure. There shall be appointed a commission to be known as the real estate commission, [to consist] consisting of [nine] eleven members, at least four of whom shall be licensed real estate brokers who have been engaged in business as licensed real estate brokers or salespersons for three years immediately preceding their appointments, each of whom shall be a citizen of the United States and shall have resided in the State for at least three years preceding appointment, and one of whom shall be designated by the appointing power as chairperson. Four members shall be residents of the city and county of Honolulu, one shall be a resident of the county of Hawaii, one shall be a resident of the county of Maui, and one shall be a resident of the county of Kauai and [two] four members shall be public members. At least two of the eleven members shall be apartment owners of units in condominium property regimes who represent the interests of condominium governance organizations.

Appointments shall be made for a term of four years, commencing from the date of expiration of the last preceding term and shall be made to expire on June 30. Appointments shall be made so that at least one appointment shall be required each year.

Any vacancy shall be filled by appointment for the unexpired term."

SECTION 4. Section 514A-133, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) [The] In order to carry out the responsibilities under this part, the commission and the director of commerce and consumer affairs may use moneys in the condominium management education fund to employ necessary personnel not subject to chapters 76 and 77 for additional staff support, hired exclusively to carry out responsibilities under this part, to provide office space, and to purchase equipment, furniture, and supplies [required by the commission to carry out its responsibilities under this part]. Moneys used from the condominium management education fund must exclusively be used to carry out the commission's responsibilities under this part."

3. By redesignating Section 2 as Section 5 and amending it to read as follows:

"SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored."

4. By redesignating Section 3 as Section 6.

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin then said:

"Mr. President, Floor Amendment No. 13 would adopt the provisions of S.B. No. 3 which was adopted by the Ways and Means Committee. It will primarily deal with changing the make-up of the Real Estate Commission."

The motion to adopt Floor Amendment No. 13 was put by the Chair and carried.

By unanimous consent, S.B. No. 112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

S.B. No. 1180:

Senator Fukunaga moved that S.B. No. 1180, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 4) to S.B. No. 1180:

SECTION 1. Senate Bill No. 1180, is amended as follows:

1. By adding a new section 1 to read as follows:

"SECTION 1. The legislature finds that the taxation of nonresidents established in Act 281, Session Laws of Hawaii 1997 (Act 281), has proved to result in anomalies and difficulties for both the taxpayer and the department of taxation. Section 235-4.3 Hawaii Revised Statutes (HRS), formally Act 281 should be repealed and a new methodology should be enacted.

The legislature also finds that section 235-61, Hawaii Revised Statutes, requires employers to deduct and withhold from wages paid to an employee an amount of income tax, and pay that withheld amount over to the department of taxation on a periodic basis. Subsection (e) allows the department, by rule, to exempt any employer from the requirement.

The legislature also finds that nonresidents are generally not subject to the income tax law and the department of taxation has adopted section 18-235-61-04, Hawaii Administrative Rules, that exempts wages paid to nonresident employees from the withholding requirements. Section 18-235-61-04 also qualifies employees as nonresidents, for the purposes of withholding taxes, as those employees who are temporarily performing services in the State for not more than sixty days during the calendar year.

The legislature further finds that members of the construction industry have testified in previous hearings on the matter that this rule is being abused to avoid the withholding of income tax that is legally due to the State. According to industry representatives, some employees attempt to qualify as nonresidents by leaving the State on the fifty-ninth day only to return a few days later to restart another sixty-day period.

In addition to the resulting loss of revenues to the State, the legislature believes that this abuse unfairly penalizes residents of the State, and that treating residents and nonresidents similarly regarding withholding is fair and equitable. If there is no income tax liability, nonresidents may file for a return claiming a refund, as residents do.

The purpose of this Act is to enact a new method of taxing the income of nonresidents and to repeal the ability of the department of taxation to exempt nonresident employees from withholding and to require all employees' wages to be subject to withholding regardless of residency."

2. By renumbering sections 1, 2, and 3 of the bill as sections 2, 3, and 4 of the bill respectively.

3. By adding a new section 5 to read as follows:

"SECTION 5. Section 235-61, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) The department, by rule, may require the deduction and withholding of tax from any remuneration or compensation paid for or attributable to services that are not subject to the general excise tax imposed by chapter 237, whether or not such withholding is provided for hereinabove. Every person so required to deduct and withhold tax, or from whom tax is required to be deducted and withheld, shall be subject to sections 235-61 to 235-67, and every person so required to deduct and withhold tax shall be deemed an employer for the purposes of this chapter.

The department[, by rule,] may not exempt any employer from the requirement of deduction and withholding of taxes[, even though the requirement is imposed by this section, if and to the extent that the department finds the requirement unduly onerous or impracticable of enforcement]."

3. By renumbering sections 4 and 5 of the bill as sections 6 and 7 of the bill.

4. By renumbering and amending section 6 of the bill to section 8 of the bill to read as follows:

"SECTION 8. This Act shall take effect upon its approval and sections 2, 3, 4, and 6 of this Act shall apply to taxable years beginning after December 31, 1998; provided that section 5 of this Act shall take effect on September 1, 1999, and shall be repealed on September 1, 2002; provided that section 235-61(e), Hawaii Revised Statutes, shall be reenacted in the form in which read on the day before the effective date of this Act."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga rose and said:

"Mr. President, Floor Amendment No. 4 contains the provisions of S.B. No. 659, also relating to taxation of nonresidents, a bill which has previously been acted upon by the Senate Ways and Means Committee."

The motion to adopt Floor Amendment No. 4 was put by the Chair and carried.

By unanimous consent, S.B. No. 1180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF NONRESIDENTS," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 744 (S.B. No. 131, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 744 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 131, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 15) to S.B. No. 131, S.D.2:

Senate Bill No. 131, S.D. 2, is amended as follows:

1. By amending page 1, lines 11-16 to read:

"The purpose of this part and parts II, III, and IV of this Act are to increase the number of long-term care insurance policies in effect in Hawaii and to conform Hawaii's long-term care insurance statutes to the Model Long Term Care Act of 1998.

This part and parts II, III, and IV of this Act also enact the Long-Term Care Insurance Model Act of 1998, of the National Association of Insurance Commissioners."

2. By amending page 58 , lines 9-11 to read:

"(i) The provisions of this section shall apply to any long-term care policy issued or delivered in this State after the effective date of this part and parts I, III, and IV of this Act."

3. By amending page 79, lines 18-21 to read:

"SECTION 7. The insurance commissioner shall request the Internal Revenue Service for a ruling on whether this part and parts I, II, and IV of this Act conform to the Health Insurance Portability and Accountability Act of 1996, P.L. No. 104-191, as amended."

4. By redesignating part VII as part IV.

5. By amending page 80, lines 12-17 to read:

"SECTION 11. If the provisions of this part or parts I, II, and III of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of these parts which can be given effect without the invalid provision or application, and to this end the provisions of these parts are severable."

6. By adding a new part V consisting of Sections 12, 13, and 14 to read as follows:

"PART V

SECTION 12. The legislature finds that the long term care ombudsman program is a federally mandated program which is funded through the Older Americans Act of 1965. The program is charged with the responsibility of serving as an advocate for 6,780 residents living in 46 licensed nursing facilities and 542 adult residential care homes; especially those who may be unable or afraid to speak for themselves. Situated within the executive office on aging, this statewide program requires the ombudsman to visit all facilities. The program is currently staffed by two full-time program specialists.

The program's primary function is to respond, investigate and assist in resolving complaints and requests for information or assistance. Outreach to residents in these facilities and homes is an essential component of the program since the residents served are usually frail and dependent with physical, mental, or emotional needs. Often, their dependency on others for care presents the potential for reluctance in speaking out when they are the recipients of inappropriate care. Outreach to these residents is particularly crucial in order to assure them that they do have external supports should they need them.

It was recently pointed out at the Governor's Conference on Adult Residential Care Homes that the long term care options in Hawaii are expanding. There is an increase in assisted living and expanded care facilities. While there is much supervision and family involvement in nursing homes, in a care home the only supervision is from the care home operator. Current regulations require the department of health to notify the care home operator one month in advance before surveying the home for renewal of its license. Presently the long term care ombudsman is the only one allowed to enter a care home without an appointment.

Some of these homes are now receiving special waivers to accept residents at a higher acuity level who are also less likely to be able to speak for themselves. In order to assure proper services for these elderly residents, the long term care ombudsman program's jurisdiction will increase.

As the State's elderly population continues to grow, the two full-time staff members of the program will be unable to provide the necessary outreach services. Forty-six states have developed a successful volunteer component to their long term care ombudsman programs. The American Association of Retired Persons has developed a training manual specifically for the long term care ombudsman program which many states

have used as a starting point. According to the Legal Counsel for the Elderly's 1995 Report, "the presence and work of the volunteers make a major contribution towards the enhancement of the quality of life for residents of long term care facilities."

The purpose of this part is to appropriate funds to establish a long term care volunteer ombudsman program to ensure that quality outreach services are provided to the increasing number of elderly people residing in long term care facilities in the State.

SECTION 13. There is appropriated out of the general revenues of the State of Hawaii the sum of \$90,721, or so much thereof as may be necessary for fiscal year 1999-2000, to establish a long term care volunteer ombudsman program, to include but not be limited to a volunteer coordinator, clerk stenographer, ground and air travel, training, and miscellaneous volunteer reimbursements.

SECTION 14. The sum appropriated shall be expended by the department of health for the purposes of this part."

7. By adding a new part VI consisting of Sections 15, 16, and 17 to read as follows:

"PART VI

SECTION 15. The legislature finds that long-term care is a critical issue of particular importance to Hawaii, where there is a shortage of nursing home beds, and where home and community-based programs are fragmented and non-existent in some areas. To address these growing concerns, the State needs to examine alternative ways to administer long-term care, which will minimize the need for new long-term care beds and control ever-increasing costs, while providing a more favorable environment for Hawaii's elderly.

The legislature further finds that one viable option is the non-institutional means of providing long-term care. Establishing such a long-term care demonstration project will offer Medicaid recipients the opportunity for home and community-based services, and address the need to decrease the burden on the State, hospitals, nursing facilities, and the elderly and their families.

The legislature believes that the State's MedQuest program has demonstrated that savings can be accomplished in an acute care Medicaid program by using managed care companies to deliver high quality care. A comparable model for long-term care would be based on an integration of home and community-based services and long-term nursing facility care and acute care systems, respect for the dignity of the elderly, integration of financing and delivery of services, consumer involvement in planning and monitoring, and improvements in the quality of care.

The 1998 legislature appropriated \$40,000 to begin the development of a managed long-term care demonstration project, with matching funds of \$40,000 to be provided by the federal government. Much remains to be done on this vital project.

The purpose of this part is to continue the design and implementation of a managed long-term care demonstration project.

SECTION 16. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, to establish a long-term care managed care waiver; provided that the funds shall be used to:

- (1) Review and update current information gathered to date on state Medicaid managed care programs for the provision of long-term care services; and
- (2) Develop a planning document for the design and implementation of a Medicaid managed long-term care demonstration project, to include:
 - (A) Identification of preliminary resource needs;
 - (B) Development of a workplan for the design and implementation of a Medicaid managed long-term care demonstration project; and
 - (C) Development of a list of changes to current infrastructure that may be necessary to accommodate a Medicaid managed long-term care demonstration project.

SECTION 17. The sum appropriated shall be expended by the department of human services for the purposes of this part."

8. By redesignating sections 12 and 13 as sections 18 and 19, respectively, and by designating these sections as part VII.

9. By amending new section 19 to read:

"SECTION 19. This Act shall take effect on July 1, 1999."

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin then stated:

"Mr. President, Floor Amendment No. 15 incorporates the language from S.B. No. 128. It would adopt a long-term care ombudsman program. It also would continue the implementation of a managed long-term care demonstration project."

The motion to adopt Floor Amendment No. 15 was put by the Chair and carried.

By unanimous consent, S.B. No. 131, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 767 (S.B. No. 646, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 767 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that S.B. No. 646, S.D.1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 14) to S.B. No. 646, S.D.1:

Senate Bill No. 646, S.D. 1, is amended as follows:

1. By designating Section 1 on page 1, line 1, as Part I as follows:

"PART I."

2. By adding a new Part II, consisting of Sections 2, 3, and 4, to read as follows:

"PART II.

SECTION 2. The purpose of this part is to authorize the Barbers Point naval air station redevelopment commission to arrange for or provide infrastructure services, including utilities, roadway maintenance and repair, security, and other services, that may be required by the owners of properties being conveyed by the United States Navy under the base realignment and closure action and to recoup the costs for these services, including maintenance and administrative costs, from the owners of the properties, make changes to the composition of the members of the commission to reflect the recent reorganization of the city and county of Honolulu administration; and authorize the commission to establish advisory committees as it deems appropriate.

SECTION 3. Section 206G-3, Hawaii Revised Statutes, is amended to read as follows:

"**[§206G-3]** Barbers Point Naval Air Station redevelopment commission; established. (a) There is established within the department of business, economic development, and tourism, for administrative purposes, the Barbers Point Naval Air Station redevelopment commission,

which shall be a body corporate and a public instrumentality of the State for the purpose of implementing this chapter.

(b) The purpose of the commission shall be to act as the local redevelopment authority to facilitate the redevelopment of Barbers Point Naval Air Station in accordance with the Barbers Point Naval Air Station community reuse plan. The commission's duties shall include but not be limited to:

- (1) Coordinating with the Navy and other entities during the preparation of an environmental impact statement and conduct of remediation activities for the Barbers Point Naval Air Station community reuse plan;
- (2) Assisting the landholders designated by the plan in the marketing of their properties and the preparation and processing of conveyance requests;
- (3) Assisting the Navy by providing "caretaker services" after the closure of Barbers Point Naval Air Station as necessary;
- (4) Working with the Navy and others to ensure that infrastructure support is provided to the existing developed area, which is referred to as the "downtown area" and other federally retained areas;
- (5) Developing the infrastructure necessary to support the implementation of the Barbers Point Naval Air Station community reuse plan; and
- (6) Providing, to the extent feasible, maximum opportunity for the reuse of surplus property by private enterprise or state and local government.

(c) The commission shall consist of fifteen voting members as follows:

- (1) The state director of business, economic development, and tourism; the chairperson of the board of land and natural resources; the adjutant general; the chairperson of the Hawaiian homes commission; and the director of transportation, or their designated representatives, shall serve as ex-officio voting members;
- (2) The county chief planning officer; the director and chief engineer of [public works;] facility maintenance; the director of [housing and community development;] community services; and the director of transportation services, or their designated representatives, shall serve as ex-officio voting members;
- (3) Six voting members shall be appointed for staggered terms as follows:
 - (A) The governor shall appoint one member from a list of three nominees submitted by the chair of the Makakilo/Kapolei/Honokai Hale neighborhood board;
 - (B) The governor shall appoint one member from a list of three nominees submitted by the chair of the Ewa neighborhood board;
 - (C) The governor shall appoint, subject to the advice and consent of the senate, two members from the general public;
 - (D) The mayor of Honolulu shall select one member from the general public; and
 - (E) The Honolulu city council shall select one member from the general public.

(d) The commission shall select a chairperson and such other officers as it may deem necessary from among its members.

(e) The commander, naval base Pearl Harbor and commanding officer, naval air station Barbers Point may serve as non-voting ex-officio members of the commission.

(f) A majority of all voting members shall constitute a quorum to do business, and the concurrence of a majority of all voting members shall be necessary to make any action of the commission valid. All members shall continue in office until their respective successors, selected in the same manner and representing the same community of interest, have been appointed and qualified.

(g) The commission shall hire an executive director for the commission. The Hawaii community development authority shall [make available employees of the authority to staff] assist the commission as the commission deems necessary.

(h) Members appointed under subsection (c) shall serve without compensation, but each shall be reimbursed for expenses including travel expenses incurred in the performance of their duties.

(i) The commission may establish advisory committees as it deems necessary."

SECTION 4. Section 206G-4, Hawaii Revised Statutes, is amended to read as follows:

"~~[[~~~~§206G-4~~~~]]~~ **Powers; generally.** In its role as the local redevelopment authority for the redevelopment of the Kalaeloa community development district, and except as otherwise limited by this chapter, the commission may:

- (1) Sue and be sued;
- (2) Have a seal and alter the same at pleasure;
- (3) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;
- (4) Make and alter bylaws for its organization and internal management;
- (5) Make rules with respect to its projects, operations, properties, and facilities, in conformance with chapter 91;
- (6) Through its executive director appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 77;
- (7) Acquire, reacquire, or contract to acquire or reacquire by grant, lease, or purchase real, personal, or mixed property or any interest therein; to own, hold, clear, improve, and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same;
- (8) Acquire or reacquire by condemnation real, personal, or mixed property or any interest therein for public facilities, including but not limited to streets, sidewalks, parks, schools, utility systems, and other public improvements;
- (9) By itself, or in partnership with qualified persons, acquire, reacquire, construct, reconstruct, rehabilitate, improve, alter, or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project; own, hold, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of or encumber any project, and in the case of the sale of any project, accept a purchase money mortgage in connection therewith; and repurchase or otherwise acquire any project which the commission has theretofore sold or otherwise conveyed, transferred, or disposed of;
- (10) Arrange or contract for the planning, replanning, opening, grading, or closing of streets, roads, roadways, alleys, or other places, or for the furnishing of facilities or for the acquisition of property or property rights or for the furnishing of property or services in connection with a project;
- (11) Grant options to purchase any project or to renew any lease entered into by it in connection with any of its projects, on such terms and conditions as it deems advisable;
- (12) Prepare or cause to be prepared plans, specifications, designs, and estimates of costs for the construction, reconstruction, rehabilitation, improvement, alteration, or repair of any project, and from time to time to modify such plans, specifications, designs, or estimates;
- (13) Provide advisory, consultative, training, and educational services, technical assistance, and advice to any person, partnership, or corporation, either public or private, in order to carry out the purposes of this chapter, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;
- (14) Contract for and accept gifts ~~[or]~~, grants, utility systems, roadway systems, or other improvements in

any form from any public agency or from any other source; [and]

(15) Arrange for or provide interim services, including, but not limited to, utilities, roadway maintenance and repair, security, and other services to the owners of properties being conveyed by the Navy under the base realignment and closure action; and recoup the costs for these services including maintenance and administrative costs from the owners of the properties in proportion to their use of the services or benefits therefrom; and

[(15)] (16) Do any and all things necessary to carry out its purposes and exercise the powers given and granted in this chapter."

3. By adding a new Part III, consisting of Sections 5, 6, 7, 8, 9, 10, and 11, to read as follows:

"PART III.

SECTION 5. Chapter 109, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

"§109- Kapolei recreational sports complex special fund. There is created a special fund to be known as the Kapolei recreational sports complex special fund into which funds appropriated by the legislature, received pursuant to a management contract under section 109-2(3), or collected by the authority from the operations of the Kapolei recreational sports complex shall be deposited subject to contracts entered into pursuant to section 109-2(3); provided that all funds received pursuant to this section shall be kept completely separate from the stadium special fund. The fund shall be applied, used, and disposed of for the payment of:

- (1) The expenses of the operation, maintenance, promotion, and management of; and
- (2) All or a portion of the cost of financing any capital improvement project for;

the Kapolei recreational sports complex; provided that all services required for the Kapolei recreational sports complex shall be performed by persons hired on contract or otherwise, without regard for chapters 76 and 77; provided further that the authority shall report to the legislature all receipts and expenditures of the Kapolei recreational complex special fund account twenty days prior to the convening of each regular session.

§109- Lost and found money or property at the Kapolei recreational sports complex. (a) All money or property found at the Kapolei recreational sports complex shall be reported or delivered by the finder to the complex lost and found, and when so delivered shall be held by the Kapolei recreational sports complex management for forty-five days or until claimed by some person who establishes title or right of custody thereto to the satisfaction of the management, whichever is shorter. In the event of establishment of title or right of custody, the money or property shall be delivered to the claimant by the management or the management's agent. If after forty-five days no claimant establishes a right to the money or property, the money or property may be claimed by the person who delivered it to the complex lost and found; provided that if the person who delivered it to the complex lost and found fails to claim the money or property within thirty days after being notified by the management, the management shall deposit the money into the state treasury to the credit of the Kapolei recreational sports complex special fund or shall dispose of the property by public auction.

The management shall give public notice, giving details as to time and place of the auction and giving notice to all persons interested in claiming the property that unless claims are made by persons who can provide satisfactory proof of ownership before a specified date, the property will be sold at public auction to the highest bidder; provided that if the management considers the highest bid to be insufficient, the management shall have the right to decline the sale to the highest bidder and

may reoffer the property at a subsequent public auction. On the day and at the place specified in the notice, all property for which no satisfactory proof of ownership is made shall be sold by auction by or under the direction of the management.

(b) If any property which is of a perishable nature or which is unreasonably expensive to keep or safeguard remains unclaimed at the complex, the management may sell that property at public auction, at a time and after notice that is reasonable under the circumstances. If the management determines that any property delivered to the management pursuant to this section has no apparent commercial value, the management at any time thereafter may destroy or otherwise dispose of the property.

(c) The management shall deposit into the Kapolei recreational sports complex special fund all moneys received from the sale, destruction, or disposition of any property. No action or proceeding shall be brought or maintained against the State or any officer thereof on account of that sale, destruction, or disposition. The purchaser of property at any sale conducted by the management pursuant to this section shall receive good title to the property purchased and shall take possession of the property free from any and all claims of the owner, prior owners, and any person claiming title.

(d) For purposes of this section, notice by regular mail to the last known address of the person who delivered the money or property to the complex lost and found shall be deemed sufficient."

SECTION 6. Chapter 109, Hawaii Revised Statutes, is amended by amending the title to read as follows:

"STADIUMS AND RECREATIONAL FACILITIES"

SECTION 7. Section 109-1, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There shall be within the department of accounting and general services for administrative purposes only, a stadium authority whose responsibility shall be to maintain, operate, and manage the stadium and facilities attached thereto[.] and to provide for the maintenance, operation, management, and promotion of the Kapolei recreational sports complex. The authority shall consist of nine members who shall be appointed by the governor in the manner prescribed by section 26-34. Each member of the authority shall have been a citizen of the United States and a resident of the State for at least five years next preceding the member's appointment. The president of the University of Hawaii and the superintendent of education shall be ex officio members of the authority but shall not vote."

SECTION 8. Section 109-2, Hawaii Revised Statutes, is amended to read as follows:

"§109-2 Stadium authority; powers and duties. The powers and duties of the stadium authority shall be as follows:

- (1) To maintain, operate, and manage the stadium and related facilities[;], and to provide for the maintenance, operation, management, and promotion of the Kapolei recreational sports complex;
- (2) To prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium or any of its facilities;
- (3) To make and execute contracts and other instruments necessary or convenient to exercise its powers under this chapter and subject to any limitations in this chapter, to exercise all powers necessary, incidental, or convenient to carry out and effectuate the purposes and provisions of this chapter[;], including entering into contracts under chapter 102 or 103D for the management of the Kapolei recreational sports complex, to include but not be limited to the operation, maintenance, and promotion of the complex in a manner that is beneficial to both the State and the contractor. These contracts may

contain revenue sharing incentives based on increased usage of the complex;

- (4) To adopt, amend, and repeal in accordance with chapter 91 rules it may deem necessary to effectuate this chapter and in connection with its projects, operations, and facilities;
- (5) To appoint a manager and a deputy manager who shall have such qualifications as the authority deems necessary and who shall hold their respective offices at the pleasure of the authority. The manager and deputy manager shall be exempt from the requirements of chapters 76, 77, and 89. Effective January 1, 1989, and January 1, 1990, the salary of the manager shall be set by the governor within the range from \$69,748 to \$74,608 and \$72,886 to \$77,966 a year, respectively. Effective January 1, 1989, and January 1, 1990, the salary of the deputy manager shall be \$62,854 and \$65,683 a year, respectively. The manager shall have full power to administer the affairs of the stadium and related facilities, and to provide for a management contract for the Kapolei recreational sports complex, subject to the direction and approval of the authority. The manager shall, subject to the approval of the authority, have power to appoint, suspend, and discharge a secretary who shall be exempt from the requirements of chapters 76, 77, and 89, and such other employees, subordinates, and assistants as may be necessary for the proper conduct of the business of the authority. Except for persons hired on contract or otherwise as provided in section 109-3 and except for the manager, deputy manager, and secretary, all appointments, suspensions, or discharges shall be made in conformity with the applicable provisions of chapters 76 and 77; and
- (6) To plan, promote, and market the stadium [and], its related facilities[.], and the Kapolei recreational sports complex."

SECTION 9. Section 109-3, Hawaii Revised Statutes, is amended to read as follows:

"§109-3 Stadium special fund. There is created a special fund to be known as the stadium special fund into which funds collected by the authority shall be deposited[.]; provided that all funds received pursuant to this section shall be kept completely separate from the Kapolei recreational sports complex special fund. The fund shall be applied, used, and disposed of for the payment of:

- (1) The expenses of the operation, maintenance, promotion, and management of; and
- (2) All or a portion of the cost of financing any capital improvement project for;

the stadium and related facilities; provided that all services required for the stadium and related facilities shall be performed by persons hired on contract or otherwise, without regard for chapters 76 and 77; provided further that the authority shall report to the legislature all receipts and expenditures of the stadium special fund account twenty days prior to the convening of each regular session."

SECTION 10. Section 109-5, Hawaii Revised Statutes, is amended to read as follows:

"[[§109-5]] Security personnel, powers. The person employed as the chief security officer by the authority shall have all of the powers of police officers, including the power of arrest; provided that such powers shall remain in force and in effect only while the person is in the actual performance of the person's duties at the stadium[.] or the Kapolei recreational sports complex."

SECTION 11. Section 109-7, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

"(b) Any person violating any rule of the stadium authority regulating conduct on the stadium or Kapolei recreational sports complex premises shall be guilty of a petty misdemeanor punishable by a fine not exceeding \$1,000, or imprisonment not exceeding thirty days, or both.

(c) Any person violating any rule of the stadium authority regulating parking or traffic on the stadium or Kapolei recreational sports complex premises shall have committed a traffic infraction as set forth in chapter 291D, the adjudication of which shall be subject to the provisions contained therein."

4. By redesignating Sections 2 and 3 as Sections 12 and 13.

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then stated:

"Mr. President, Floor Amendment No. 14 contains the provisions of S.B. No. 1068 which related to the Barbers Point Naval Air Station Redevelopment Commission and S.B. No. 1420, relating to the Kapolei Sports Complex. Both bills have been discussed and acted upon by the Senate Ways and Means Committee."

The motion to adopt Floor Amendment No. 14 was put by the Chair and carried.

By unanimous consent, S.B. No. 646, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

S.B. No. 654:

Senator Levin moved that S.B. No. 654, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 16) to S.B. No. 654:

Senate Bill No. 654 is amended as follows:

1. By designating sections 1, 2, 3, and 4 as "Part I".
2. By adding a new Part II consisting of sections 5, 6, and 7 to read as follows:

"PART II

SECTION 5. The Hawaii state legislature has demonstrated its commitment to the principle of public access to the legislative process by creating programs such as the public access room, legislative broadcast project, and the legislative website. Hawaii is considered to be one of the country's models in the development of public access programs, as evidenced by complimentary commentaries in the national and local media.

To maintain its commitment to public access, the legislature believes that the current level of service to the public from the public access room should be maintained. Public requests for services of the public access room have increased dramatically since its beginning in 1990. In fiscal year 1997-1998 alone, the public access room received over five thousand eight hundred calls for legislative and other information, serviced about four thousand people who visited the public access room or made requests for service in person, and conducted public access workshops for over two hundred fifty residents. To meet this increased demand, additional space, equipment, and furniture are needed to accommodate citizens' needs for legislative access and related services. The legislature finds that the current space allotted for the public access room is insufficient to meet the rise in demand for its services and, at the same time, maintain its high quality.

The purpose of this part is to make an appropriation to provide for the costs of relocating the public access room, and for electronic equipment and furniture purchases.

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, to provide for moving and equipment costs for the public access room.

SECTION 7. The sum appropriated by this part shall be expended by the legislative reference bureau for the purposes of this part."

3. By adding a new Part III consisting of sections 8 and 9 to read as follows:

"PART III

SECTION 8. In recognition that the legislature needs its own separate fiscal policy office to provide legislators with the information needed to develop sound economic and fiscal policies for the State, the office of the legislative analyst was established in Act 347, Session Laws of Hawaii 1990.

Other states have established nonpartisan, highly specialized legislative fiscal analysis offices, in addition to the professional staffs of each chamber's money committees, to review executive branch proposals and to appraise the performance of the executive branch in administering legislative enactments.

Since the legislature meets for only four months of the year, it has come to rely heavily on the use of session-only staff or employees on loan from the executive branch. Hawaii is the only state in the nation utilizing staff on temporary loan from executive agencies to support the work of its money committees.

As a result, the legislature has been at a disadvantage in fulfilling its trust to the people of the State to ensure that approved appropriations are executed in compliance with legislative policy. The legislature can provide effective legislative oversight only if it has its own capacity to review and analyze the budget, state economic conditions, and overall tax structure and attendant policies.

The purpose of this part is to require the legislative analyst to review all performance-based budgets submitted to the legislature as provided by law.

SECTION 9. Section 21F-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The purpose of the office of the legislative analyst shall be:

- (1) To provide the legislature with research and analysis of current and projected state revenues and expenditures;
- (2) To provide the legislature with a report analyzing the governor's proposed levels of revenue and expenditures for biennial budgets submitted under chapter 37 as well as other supplemental budget submissions to the legislature by the governor;
- (3) To provide an analysis of the impact of the governor's proposed revenue and expenditure plans for the next biennium;
- (4) To conduct research matters of economic and fiscal policy and to report to the legislature on the result of the research;
- (5) To provide economic reports and studies on the state of the State's economy, including trends and forecasts for consideration by the legislature;
- (6) To conduct budget and tax studies and provide general fiscal and budgetary information;
- (7) To review and make recommendations on the operation of state programs in order to appraise the implementation of state laws regarding the expenditure of funds and to recommend means of improving their efficiency; [and]
- (8) To recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures and revenue projections[.]; and

- (9) To review all performance-based budgets submitted to the legislature as provided by law."

4. By adding a new part IV consisting of sections 10, 11, 12, and 13 to read as follows:

"PART IV

SECTION 10. Section 23G-3, Hawaii Revised Statutes, is amended by amending subsection (11) to read as follows:

"(11) Perform the function of statute revision and publication and sale of session laws, supplements, and replacement volumes; and"

SECTION 11. Section 23G-18, Hawaii Revised Statutes, is amended to read as follows:

"**§23G-18 Sale and distribution.** The session laws, supplements, and replacement volumes shall be sold and distributed by the [lieutenant governor] legislature at a price fixed by the [lieutenant governor.] legislature. The money received therefor shall be paid into the state treasury to the credit of the [general] Hawaii legislative publications special fund. The [lieutenant governor] legislature may furnish the session laws, supplements, and replacement volumes to public officials for official use free of charge. As used in this chapter, public officials include officials of the state and county governments, of the congressional delegation of the State, of the United States District Court, District of Hawaii, and of the United States Attorney's Office in Hawaii."

SECTION 12. Section 26-1, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Except as otherwise provided by law, the lieutenant governor is designated the secretary of state for intergovernmental relations and shall perform the duties and functions heretofore exercised by the secretary of Hawaii. The duties and functions shall include, but not be limited to, [recording of all legislative and gubernatorial acts,] certification of state documents, and maintenance of an official file of rules adopted by state departments as provided in chapter 91. The lieutenant governor may employ staff as necessary without regard to chapters 76 and 77."

SECTION 13. Section 93-15, Hawaii Revised Statutes, is amended to read as follows:

"**§93-15 Legislative journals; sale and distribution.** The journals of the senate and house of representatives, published in accordance with the rules of each house of the legislature, shall be sold and distributed to the public by the [lieutenant governor] legislature at a price fixed by the [lieutenant governor.] legislature. The money received therefor shall be paid into the state treasury to the credit of the [general] Hawaii legislative publications special fund. The [lieutenant governor] legislature may furnish the journals of the senate and house of representatives to public officials free of charge. As used in this section, public officials include officials of the state and county governments, of the congressional delegation of the State, of the United States District Court, District of Hawaii, and of the United States Attorney's Office in Hawaii."

5. By redesignating sections 5 and 6 as sections 14 and 15, respectively, and by designating these sections as Part V.

6. By amending new section 15 to read as follows:

"SECTION 15. This Act shall take effect on July 1, 1999."

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin rose and said:

"Mr. President, we wish to incorporate the language from S.B. No. 1242 into S.B. No. 654. Senate Bill No. 1242 was acted upon by the Ways and Means Committee and deals with the legislative analyst, as well as the sale and distribution of various government documents."

The motion to adopt Floor Amendment No. 16 was put by the Chair and carried.

By unanimous consent, S.B. No. 654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 800 (S.B. No. 175, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 800 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that S.B. No. 175, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 10) to S.B. No. 175, S.D.2:

Senate Bill No. 175, S.D. 2, is amended as follows:

1. By adding Parts XI to XX, consisting of Sections 38 to 74 to read as follows.

"PART XI

SECTION 38. The legislature finds that child abuse and neglect are a root cause of many serious social problems, including emotional and mental health problems, alcohol and drug abuse and addiction, delinquency, and crime. Child abuse continues to escalate with fifteen thousand reports and over five thousand cases investigated annually in Hawaii. The most severe cases continue to be among the youngest, most vulnerable children.

During the interim of the regular session of 1998, child protection legislative roundtable discussions were convened to suggest statutory, guideline, rule, regulation, and other changes to improve Hawaii's child protective system. Legislators, the departments of human services, health, and the attorney general, the judiciary, private nonprofit child and family serving agencies, and concerned individuals communicated and collaborated with one another, on behalf of abused and neglected children and their families, to develop formal and informal mechanisms for working together.

As a coordinated response to prevent and treat child abuse, the roundtable cohesively suggested the following areas be strengthened:

- (1) A medical case management system for the medical oversight of children in the child protective services system;
- (2) Standards for guardians ad litem charged to protect the best interests of the child;
- (3) Mandated training for foster parents of licensed foster homes;
- (4) Protective custody of a child without court order; and
- (5) Required reporting of child abuse and neglect.

The purpose of this part is to improve Hawaii's child protection system.

SECTION 39. Chapter 587, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"**§587- Medical and health case management.** (a) There is established a medical and health case management system in the department of human services for the purpose of managing medical and health needs of children in the foster care system.

(b) The medical and health case management system shall:

- (1) Establish a system of services providing timely medical and health information to key providers of care to foster children and identify a health care manager for consistent follow-up to ensure that medical and health needs are met;
- (2) Maintain a system of continuity of care for the medical and health needs of children in the foster care system;

- (3) Maximize existing resources in the provision of medical and health services to foster children; and
 (4) Research the enhancement of federal reimbursement for care coordination services provided to foster children from birth to age twenty."

SECTION 40. Section 346-17, Hawaii Revised Statutes, is amended to read as follows:

"§346-17 Child placing organizations, child caring institutions, and foster boarding homes; authority over and investigation of. No child placing organization shall engage in the investigation, placement, and supervision of minor children in foster care unless it meets with the standards of conditions, management, and competence as set by the department [of human services].

No child caring institution shall be allowed to receive minor children for care and maintenance unless it meets with the standards of conditions, management, and competence to care for and train children as set by the department.

No foster boarding home shall receive for care and maintenance any child unless it meets with the standards of conditions, management, and competence as set by the department[.] and the foster boarding home applicants successfully complete foster parent training.

The department shall [make] adopt rules relating to:

- (1) [standards] Standards for the organization and administration of child placing organizations[.];
- (2) [standards] Standards of conditions, management, and competence for the care and training of minor children in child caring institutions[.] and foster boarding homes; and
- (3) [standards] Standards of conditions and competence of operation of foster boarding homes as may be necessary to protect the welfare of children.

All rules of the department shall have the force and effect of law, and any violation thereof of or of this section shall be punishable by a fine of not more than \$200.

As a condition for a certificate of approval, any organization, institution, or home shall meet the standards to assure the reputable and responsible character of its operators and employees by complying with the requirements of a criminal history record check under section 346-19.6.

Upon approval of any such organization, institution, or home, the department or its authorized agents shall issue a certificate of approval [which] that shall continue in force for one year or for two years if the organization, institution, or home meets the criteria established by the department, unless sooner revoked for cause. The certificate shall be renewed by the department or its authorized agents, after annual or biennial investigation, if the investigation discloses that the organization, institution, or home continues to meet with the standards set by the department. The certificate of approval shall be a permit to operate the child placing organization, child caring institution, or foster boarding home, and no person or organization shall operate or maintain such organization, institution, or home without the certificate.

Any child placing organization, child caring institution, or foster boarding home shall be subject to investigation at any time and in such manner, place, and form as may be prescribed by the department or its authorized agents."

SECTION 41. Section 350-2, Hawaii Revised Statutes, is amended to read as follows:

"§350-2 Action on reporting. (a) Upon receiving a report concerning child abuse or neglect, the department shall proceed pursuant to chapter 587 and the department's rules.

(b) The department shall inform the appropriate police department or office of the prosecuting attorney of all reports received by the department concerning a case of child abuse or neglect, including reports received under section 350-1.1; provided that the name of a reporter, who requested that the reporter's name be confidential, shall be released to a police department or an office of the prosecuting attorney pursuant only to court order.

[(b)] (c) The department shall inform the appropriate police department or office of the prosecuting attorney of the relevant information concerning a case of child abuse or neglect when [such] the information is required by the police department or the office of the prosecuting attorney for the investigation or prosecution of that case; provided that the name of a reporter, who requested that the reporter's name be confidential, shall only be released to a police department or an office of the prosecuting attorney pursuant to court order.

[(c)] (d) The department shall maintain a central registry of reported child abuse or neglect cases and shall promptly expunge the reports in cases if:

- (1) The department has found the reports to be unsubstantiated; or
- (2) The petition arising from the report has been dismissed by order of the family court after an adjudicatory hearing on the merits pursuant to chapter 587.

For purposes of expungement under paragraph (1), a report is unsubstantiated only when the department has found the allegations to be frivolous or to have been made in bad faith.

However, the department may retain records and information of alleged child abuse and neglect with respect to the child that is the subject of the alleged abuse.

The department shall adopt rules as may be necessary in carrying out this section."

SECTION 42. Section 587-22, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) A police officer shall assume protective custody of a child without a court order and without the consent of the child's family, regardless of whether the child's family is absent, if in the discretion of [such] the police officer, the child is in [such] a circumstance or condition that [the]:

- (1) The child's continuing in the custody or care of the child's family presents a situation of imminent harm to the child[.]; or
- (2) There is evidence that a parent or guardian of a child has subjected a child to harm or threatened harm and that parent or guardian is likely to flee the jurisdiction of the court with the child."

SECTION 43. Section 587-34, Hawaii Revised Statutes, is amended as follows:

"§587-34 Guardian ad litem; court appointed counsel.

(a) The court shall appoint a guardian ad litem for the child to serve throughout the pendency of the child protective proceedings under this chapter. The court may appoint additional counsel for the child pursuant to subsection (c) or independent counsel for any other party if [the]:

- (1) The party is an indigent[, counsel];
- (2) Counsel is necessary to protect the party's interests adequately[, and the]; and
- (3) The interests are not represented adequately by another party who is represented by counsel.

(b) A guardian ad litem shall:

- (1) Be allowed access to the child by the caretakers of the child whether caretakers are individuals, authorized agencies, or health care providers;
- (2) Have the authority to inspect and receive copies of any records, notes, and electronic recordings concerning the child that are relevant to the proceedings filed under this chapter without the consent of the child or individuals and authorized agencies who have control of the child; and
- (3) Be given notice of all hearings and proceedings, civil or criminal, including[,] but not limited to[,] grand juries, involving the child and shall protect the best interests of the child [therein], unless otherwise ordered by the court.

(c) A guardian ad litem appointed pursuant to subsection (a) shall report to the court and all parties in writing at six month intervals, or as is otherwise ordered by the court, regarding [such] the guardian ad litem's activities on behalf of the child

and recommendations concerning the manner in which the court should proceed in the best interests of the child; provided that [such] the guardian ad litem shall make face to face contact with the child in the child's family or foster home at least once every three months. A guardian ad litem shall inform the court of the child's perceived interests if they differ from those being advocated by the child's guardian ad litem. If the child and the child's guardian ad litem are not in agreement, the court shall evaluate the necessity for appointing special counsel for the child to serve as the child's legal advocate concerning [such] issues and during [such] proceedings [as] that the court deems to be in the best interests of the child.

(d) [When] If the court determines, after [such] any hearing [as] that the court deems [to be] appropriate, that a party is incapable of comprehending the legal significance of the issues or the nature of the child protective proceedings, the court may appoint a guardian ad litem to represent the interests of that party; provided that a guardian ad litem appointed pursuant to this section shall investigate and report to the court in writing at six month intervals, or as is otherwise ordered by the court, regarding the current status of the party's disability, including[,] but not limited to[,] a recommendation as to available treatment, if any, for the disability and a recommendation concerning the manner in which the court should proceed in order to best protect the interests of the party in conjunction with the court's determination as to the best interests of the child.

(e) A guardian ad litem or counsel appointed pursuant to this section for the child or other party may be paid [for] by the court, unless the party for whom counsel is appointed has an independent estate sufficient to pay [such] the costs. The court may order the appropriate parties to pay or reimburse the costs and fees of the guardian ad litem and other counsel appointed for the child.

(f) No guardian ad litem shall be appointed to represent any child unless the guardian ad litem has successfully completed guardian ad litem training or has equivalent experience as determined by the senior family court judge.

The judiciary shall issue orders or rules relating to standards of training and practice for the representation of minor children by a guardian ad litem.

All orders or rules of the judiciary shall have the force and effect of law, and any violation of the orders or rules of or this section shall be punishable by a fine of not more than \$200."

SECTION 44. Section 587-72, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Upon each review hearing, the court shall consider fully all relevant prior and current information pertaining to the safe family home guidelines, as set forth in section 587-25, including but not limited to[,] the report submitted pursuant to section 587-40, and:

- (1) Determine whether the child's family is presently willing and able to provide the child with a safe family home without the assistance of a service plan and, if so, the court shall terminate jurisdiction;
- (2) Determine whether the child's family is presently willing and able to provide the child with a safe family home with the assistance of a service plan and, if so, the court shall return the child or continue the placement of the child in the child's family home under the family supervision of the appropriate authorized agency;
- (3) If the child's family home is determined, pursuant to subsection (c)(2), not to be safe, even with the assistance of a service plan, order that the child remain or be placed under the foster custody of the appropriate authorized agency; if the child has been residing without the family home for a period of twelve months or if there has been a [court ordered] court-ordered service plan for a period of one year, the court [may] shall set the case for a show cause hearing at which the child's family shall have the burden of presenting evidence to the court regarding the reasons and considerations [as] that the family

has to offer as to why the case should not be set for a permanent plan hearing. Upon a show cause hearing that the court deems to be appropriate, the court shall consider the criteria set forth in section 587-73(a)(1), (2), and (4)[,] or section 587-73(e), and:

- (A) Set the case for a permanent plan hearing and order that the authorized agency submit a report pursuant to section 587-40; or
- (B) Proceed pursuant to this section;
- (4) Determine whether the parties have complied with, performed, and completed every term and condition of the service plan that was previously court ordered;
- (5) Order revisions to the existing service plan, after satisfying section 587-71(h), [as] that the court, upon a hearing that the court deems to be appropriate, determines to be in the best interests of the child; provided that a copy of the revised service plan shall be incorporated as part of the order;
- (6) Enter further orders [as] that the court deems to be in the best interests of the child; and
- (7) Determine whether aggravated circumstances are present and, if so, the court shall set the case for a show cause hearing at which the child's family shall have the burden of presenting evidence to the court regarding the reasons and considerations as to why the case should not be set for a permanent plan hearing."

SECTION 45. If any provision of this Part, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Part are severable.

SECTION 46. The penalty established in section 6 of this Part shall not apply to any violation under section 587-34 that occurs before the effective date of this Act.

PART XII

SECTION 47. The legislature finds that recent neuroscience research demonstrates that the early years of a child are most crucial in a child's cognitive, emotional, social, and physical development, and affirmed that there are tremendous opportunities for preventive work with children and families as well as the predictable, costly consequences of not doing so. The legislature further finds that quality early childhood education and child care which supports all aspects of early development by parents and care givers in a variety of settings, including child care centers, family child care, and in the homes of families and friends, is crucial to ensuring that every young child has a good beginning and does not lose the potential with which the child was born.

The legislature adopted House Concurrent Resolution No. 38, 1998, which endorsed six desired child outcomes as state policy, and encouraged private and public agencies serving children to utilize these outcomes as a basis for policy and program development. This common set of outcomes focuses action and accountability toward achieving positive results by improving the quality of life of children and youth, and establishing indicators to measure progress in achieving these outcomes. These six child outcomes are:

- (1) Every child will thrive physically--to be healthy from birth with ongoing access to good health care, and have a safe home, school, and community environment;
- (2) Every child will form positive relationships--to have the attention of at least one caring adult and supportive friendship with peers;
- (3) Every child will be prepared for and succeed in school--to have developmentally nurturing care and early education opportunities, meet age appropriate knowledge and competencies, and graduate from high school;

- (4) Every child will be culturally aware and appreciative of diversity;
- (5) Every child and youth will choose responsible behaviors--to exhibit respect for oneself, others of every age, and society by refraining from drug use and from sexual and illegal activity; and
- (6) Every youth will develop marketable skills enabling a successful transition into adulthood.

The legislature finds that as public and private agencies address the third outcome, many facets of the early childhood system are affected. These fall into the areas of health, education, and social services that overlap to support the family and the child.

The legislature further finds that additional funding in selected programs targeting key populations, strategically linked together at the local level, can significantly enhance the State's capacity to achieve these outcomes, as well as leverage additional federal and private dollars.

The purpose of this part is to:

- (1) Address a variety of these facets to improve the affordability, accessibility, and quality of early childhood services; and
- (2) Provide coordination to the early childhood system.

PART XIII

SECTION 48. The legislature finds that one way to improve Hawaii's performance on the first, second, and third outcomes is to increase the supply and quality of child care. One indicator of increased supply and quality of care is an increase in the number of providers receiving licenses or accreditation. One strategy to increase licensing and accreditation is to help providers overcome the financial obstacles to starting or expanding their child care business.

The purpose of this part is to establish a child care facilities revolving loan fund to provide start-up or expansion capital to family child care homes and centers that are licensed or are seeking a license.

SECTION 49. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to part VIII to be appropriately designated and to read as follows:

"§346- Child care facilities grant fund. (a) There is established a grant fund to be known as the child care facilities grant fund to be administered by the department. The purpose of the fund shall be to make grants, each not to exceed \$25,000, as start-up capital or as expansion capital for family child care homes or centers that are appropriately licensed or will become appropriately licensed.

(b) All moneys appropriated by the legislature for purposes of subsection (a) shall be deposited into the fund."

SECTION 50. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, to be paid into the child care facilities revolving loan fund established under section 3 of this Act.

SECTION 51. The sum appropriated shall be expended by the department of human services for the purposes of this Act.

PART XIV

SECTION 52. The legislature finds that one way to improve Hawaii's performance on the third outcome is to increase the ability of working parents to place their children in quality care. Many working parents need financial assistance to pay for the full cost of quality early childhood education and care.

The purpose of this part is to increase the number of child care subsidies.

SECTION 53. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for

fiscal year 2000-2001, to increase the number of child care subsidies, pay administrative expenses, and to provide parent workshops to recipients of child care subsidies in each county, as follows:

	FY 1999-2000	FY 2000-2001
City and County of Honolulu	\$	\$
County of Maui		
County of Hawaii		
County of Kauai		

provided that:

- (1) Each county may allocate up to fifteen per cent of the sum appropriated for administrative expenses incurred in the disbursement of child care subsidies;
- (2) Subsidies shall be granted to families with incomes up to eighty-five per cent of the state median income;
- (3) The amount of each subsidy shall be based on family income on an inverse sliding scale, including a parent co-payment; and
- (4) Receipt of a subsidy shall be contingent on applicant families to attend a parent workshop.

SECTION 54. The sums appropriated shall be expended by the appropriate counties for the purposes of this Act.

PART XV

SECTION 55. The legislature finds that one way to make progress towards the outcome that every child will be prepared for and succeed in school is to increase the number of accredited child care programs. An accredited program is acknowledged to be one that places emphasis on the quality of interactions between teachers and children, and the developmental appropriateness of the curriculum. Health and safety, staffing, staff qualifications, physical environment, and administration are all reviewed during the accreditation.

The legislature further finds that the accreditation mentoring of early childhood programs provides support for those interested in seeking accreditation, and develops mentoring and leadership skills among early childhood professionals.

The purpose of this part is to expand the accreditation-mentor project for early childhood programs.

SECTION 56. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, to expand and continue the accreditation-mentor project for early childhood programs, as follows:

	FY 1999-2000	FY 2000-2001
City and County of Honolulu	\$	\$
County of Maui		
County of Kauai		
County of Hawaii		

SECTION 57. The sums appropriated shall be expended by the appropriate counties for the purposes of this Act.

PART XVI

SECTION 58. The legislature finds that public and private resources are needed to achieve the child outcomes adopted as state policy in House Concurrent Resolution No. 38, 1998. Act 77, Session Laws of Hawaii 1997, acknowledged a performance partnership among government, the business community, the philanthropic sector, providers of quality care, and parents, known as the good beginnings alliance.

The good beginnings alliance has been incorporated as a non-profit entity that works through four good beginnings county councils and an interdepartmental council. The good

beginnings alliance partners work to implement strategies in good beginnings county plans and in the state early childhood master plan that support progress towards the child outcomes and key indicators and benchmarks of those outcomes.

In order to continue the development and coordination of quality early childhood education and care services, the legislature finds that this public-private partnership requires public funding to match the private funding acquired to date.

The purpose of this part is to continue coordination and implementation of the good beginnings alliance initiative.

SECTION 59. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, for the coordination and implementation of the good beginnings alliance initiative, established under Act 77, Session Laws of Hawaii 1997; provided that funds shall be matched by private sources for the purpose for which these sums are appropriated.

SECTION 60. The sums appropriated shall be expended by the department of human services for the purposes of this Act.

PART XVII

SECTION 61. The legislature finds that support for a child's healthy and educational development is critical when the child is very young. The best place to start is with the empowerment of parents in their roles as parents and teachers in the home.

Families for REAL (resources for early access to learning) is a school-based family education program of courses and activities for all families and their children between the ages of birth and five years. The program is based on Minnesota's family education model which has proven to have a positive effect on parenting and the well-being of children. It recognizes that families provide their children's first and most important learning environments, and that parents are their children's first and most significant teachers. Participation by families is voluntary and services are offered free.

Parents and their children attend age and developmentally appropriate classes once a week for nine weeks. They share and learn critical parenting and teaching skills, network with each other, learn about community resources, and become aware of what they can do to nurture healthy children and to help children to learn.

In addition to the program's regular courses, special interest classes are offered on such topics as stress management, building strong families, child development, sibling rivalry, esteem, and language development.

The legislature further finds that in school year 1997-1998, three sites, Pearl City Highlands, Kapunahala, and Wailuku Elementary, provided direct services to 4,077 individuals. The long-range plan is to have a total of fourteen sites, one site per area served by each of the eleven community schools for adults plus one site each on the islands of Molokai and Lanai, and Kona, Hawaii.

The legislature further finds that this is a cost-effective program based on the fact that the average cost-per-person served is \$108. The legislature also finds that the program attracts families from all socioeconomic backgrounds, that forty to fifty per cent of the participant families are identified as families at-risk, and that all the families have much to learn from and with each other.

The purpose of this part is to appropriate funds to expand families for REAL.

SECTION 62. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, for the expansion of families for REAL to Kapalama, King Kamualihi, Pearl Ridge, and Waiakea elementary schools, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, for the expansion of families for REAL to four additional school sites.

SECTION 63. The sums appropriated shall be expended by the department of education for the purposes of this Act.

PART XVIII

SECTION 64. The legislature finds that in order for every child to thrive physically and be prepared for and succeed in school, there needs to be more opportunity for families with at-risk children to receive infant and child monitoring, screening, and additional community referrals to meet their needs before entering public education programs.

One such opportunity is the keiki/family interactive mobile units that provide an easily accessible early education and intervention service to families with children from birth to five years of age. The program supports the parent as a child's first teacher and brings age appropriate activities to neighborhood parks or other accessible sites, facilitating bonding, communication skills, normal growth and development, and cognitive stimulation. Parent education activities are included as well.

The program provides a non-threatening, culturally relevant, learning environment for at-risk children from birth to five years of age and their parents through which screening and appropriate community referrals can be made for health, nutrition, education, parenting skills, and psychological needs.

Although these units were contracted to provide direct service to four hundred individuals during 1997-1998, by the completion of the year, a total of 1,147 (358 adults and 789 children) were served, demonstrating the need for the program. Presently, the keiki/family interactive mobile units are offering services to select areas of need across the State focusing on homeless, isolated, or rural families as a priority. Those locations are as follows:

- (1) Island of Kauai: Koloa;
- (2) Island of Oahu: Wahiawa, Makiki, Loliana Transitional Housing, Maililand Transitional Housing, and Weinberg Transitional Housing Waimanalo;
- (3) Island of Lanai: Lanai City;
- (4) Island of Maui: Harbor Lights Housing, Malama Recovery Center, and Lahaina;
- (5) Island of Hawaii: Hilo Emergency Shelter, and Kawaihae Transitional Housing.

The legislature further finds that an increase in funding will provide additional families the opportunity to participate in the keiki/family interactive mobile unit services at the following sites:

- (1) Island of Kauai: Kapaa;
- (2) Island of Oahu: Kalihi/Palama/Liliha, Institute for Human Services, North Shore, Makaha, Kailua, and Waianae;
- (3) Island of Maui: Wailuku;
- (4) Island of Molokai: One site;
- (5) Island of Hawaii: Paho, Hilo, and Kona.

The legislature further finds that the increase in service delivery would also provide additional resources for developmental screening of children as well as community referrals to identify and meet the needs of at-risk children before entering the department of education. Through these

added funds, collaboration with agencies such as the good beginnings alliance could be increased.

The purpose of this part is to increase the capacity of the keiki/family interactive mobile units.

SECTION 65. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, to increase the capacity of the keiki/family interactive mobile units.

SECTION 66. The sums appropriated shall be expended by the department of health for the purposes of this Act.

PART XIX

SECTION 67. The legislature finds that earning a high school degree is one of the key factors which can assist teen parents and their families to become self-sufficient, create opportunities for themselves and their children, and maximize their life potential. The support needed to assist teen parents to complete high school is cost effective in the long run -- for every teen who is able to become self-sufficient, over \$20,000 annually in welfare benefits are saved.

The legislature further finds that access to child care is a systemic barrier that prevents many teen mothers and some teen fathers who have not completed high school from going to school. In Hawaii, teen pregnancy affects approximately 1,850 teens age twelve through eighteen each year, of which over approximately 1,150 result in live births. It is estimated that up to four hundred parenting students who have not finished high school may need assistance with child care.

The purpose of this part is to provide child care for parenting teens so they may complete high school and pursue vocational training.

SECTION 68. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, for child care for parenting teens.

SECTION 69. The sums appropriated shall be expended by the department of education for the purposes of this Act.

PART XX

SECTION 70. There is a national effort for child care providers both in family-care settings and center-based settings to be minimally qualified to work with children from birth through age five. Caregivers must demonstrate their ability to nurture children's physical, social, emotional, and intellectual growth in a child development framework. The proof of their competence is the child development associate credential.

The legislature finds that approximately one hundred individuals are estimated to need financial assistance in obtaining their child development associate credential. Current cost for the application packet and assessment for credentialing is \$350 per person. This is a minimal cost as there may be other requirements that must be met, depending on the applicant's readiness, training, and experience.

The purpose of this part is to subsidize the cost of obtaining a child development associate credential.

SECTION 71. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 1999-2000, and the sum of \$, or so much thereof as may be necessary for fiscal year 2000-2001, to provide financial assistance in attaining a child development associate credential.

SECTION 72. The sums appropriated shall be expended by the department of human services for the purposes of the Act.

SECTION 73. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 74. Statutory material to be repealed is bracketed. New statutory material is underscored."

2. By redesignating Section 38 as Section 75.

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then said:

"Mr. President, Floor Amendment No. 10 would in this amendment incorporate the provisions of S.B. No. 177 and S.B. No. 192, both of which have been acted upon by the Senate Ways and Means Committee, and which deal with child protective services as well as early childhood types of appropriations."

The motion to adopt Floor Amendment No. 10 was put by the Chair and carried.

By unanimous consent, S.B. No. 175, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

At 11:09 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.

Stand. Com. Rep. No. 801 (S.B. No. 392, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 801 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 392, S.D.1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 6) to S.B. No. 392, S.D.1:

SECTION 1. Senate Bill No. 392, S.D. 1, is amended by deleting its contents in their entirety and replacing them with the following language:

"SECTION 1. The legislature finds that private development of harbor facilities on state lands should be encouraged to save taxpayers the burden of funding costly construction of improvement. The legislature further finds that private development would more likely result in project being completed on time.

The purpose of this Act is to allow the harbors division to enter into cost-reimbursement contracts with marine operators or tenants for public improvements of harbor facilities.

SECTION 2. Chapter 266, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§266- Private financing of harbor improvements. (a) Notwithstanding any law to the contrary, the department of transportation may enter into a cost-reimbursement contract with a maritime operator or tenant for any public improvement to or construction of a state harbor, commercial harbor, roadstead, or other waterfront improvement belonging to or controlled by the State, if the director of transportation

determines that a cost-reimbursement contract promotes the best interest of the State by a finding that:

- (1) Private development is likely to be less costly than any other type of contract;
- (2) Private development provides needed public improvements in a significant timely basis; or
- (3) Public financing for public improvements is not available on a timely basis.

(b) A cost-reimbursement contract under subsection (a) may be financed by an offset from the marine operator's or tenant's future rental or tariff payments to the State; provided that the terms of the contract shall ensure that the State benefits financially from the arrangement and that public use of the facility is maintained. Projects financed by the cost-reimbursement method shall not in any way obligate the State for repayment by a legislative appropriation.

(c) A cost-reimbursement contract under subsection (a) shall be subject to the applicable requirements of chapters 103 and 103D and subject to the approval of the administrator of the state procurement office, established under section 103D-204(a); provided that all related transactions shall be subject to state audit.

(d) Prior to entering into a cost-reimbursement contract under subsection (a) for more than \$500,000 the department of transportation shall obtain prior approval from the legislature."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval."

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin stated:

"Mr. President, Floor Amendment No. 6 would incorporate language concerning private financing of harbor improvements."

The motion to adopt Floor Amendment No. 6 was put by the Chair and carried.

By unanimous consent, S.B. No. 392, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

S.B. No. 425, S.D.2:

Senator Fukunaga moved that S.B. No. 425, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 11) to S.B. No. 425, S.D.2:

SECTION 1. Senate Bill No. 425, S.D. 2, is amended as follows:

1. By amending section 1 to read:

"SECTION 1. The legislature finds that as the State struggles with a prolonged fiscal crisis never before experienced in its history, government must utilize all the resources at its disposal to ensure that governmental services continue to be provided. To this end, the legislature believes that fees charged by state agencies must be closely scrutinized to ascertain whether the fee imposed accurately reflects the cost of providing the services. The proper aligning of fees charged by state agencies with moneys expended to provide them will have the resultant benefit of freeing up state resources for other areas in need of revenue. In addition, the legislature finds that towing companies should be able to collect fees for the cost of clean-up.

The purpose of this Act is to increase fees charged by state agencies to more accurately reflect the cost of providing

governmental services, and to allow towing companies to collect fees for the cost of clean-up."

2. By deleting sections 2 and 3.

3. By renumbering sections 4, 5, and 6 of the bill to sections 2, 3, and 4 of the bill.

4. By renumbering and amending section 7 to read as follows:

"Section 5. Section 302A-435, Hawaii Revised Statutes, is amended to read as follow:

"**[§302A-435]** **Financing adult and community education program.** The financial support for this program shall be [in part] one-half from fees collected from students enrolled[,] and [in part] one-half from public funds appropriated for this purpose. Fees shall be set in accordance with the recommendations of the advisory council, and may be collected from students regularly enrolled; provided that:

- (1) Adults registered with the department of labor and industrial relations and unemployed shall be granted free enrollment in such courses as will tend to assist these persons in securing employment;
- (2) Adults certified by the department of human services as indigent may be enrolled on a nonfee basis in classes that will tend to assist these persons in becoming self-sustaining;
- (3) Discharged veterans who are entitled to federal educational assistance shall be enrolled upon authorization of the Department of Veterans Affairs and fees shall be charged against federal funds in accordance with Department of Veterans Affairs contract regulations; and
- (4) Administrative and supervisory costs, costs of instruction, and all other necessary expenses not covered by fees and other authorized charges shall be paid for out of funds appropriated for this purpose."

4. By adding new sections 6 and 7 to read as follows:

"SECTION 6. Section 291C-165.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The towing company shall determine the name of the lien holder and the registered owner of the vehicle from the department of transportation or the county department of finance. The lien holder and the registered owner shall be notified by the towing company in writing at the address on record with the department of transportation or with the county department of finance by registered or certified mail of the location of the vehicle, together with a description of the vehicle, within a reasonable period not to exceed twenty days following the tow. The notice shall state:

- (1) The maximum towing charges and fees allowed by law;
- (2) The telephone number of the county finance department that arranged for or authorized the tow; and
- (3) That if the vehicle is not recovered within thirty days after the mailing of the notice, the vehicle shall be deemed abandoned and will be sold or disposed of as junk.

When the vehicle is recovered after the tow by the registered owner or lien holder, the party recovering the vehicle shall pay the tow and storage charges which shall not exceed the charges as provided by section 290-11(b) or the rates agreed upon with the respective counties, whichever is lower, except that tow operators may charge additional reasonable amounts for [excavating] recovering vehicles from off-road locations[,] and up to \$25 for road clean-up if, pursuant to an agreement with the respective counties, the towing company is required to clean and clear the roadway and, in cases of spills or leaks, provide, apply, and remove absorbent material; provided that if the

notice required by this section was not sent within twenty days after the tow, neither the registered owner nor the lien holder shall be required to pay the tow and storage charges. No notice shall be sent to a legal or registered owner or any person with any unrecorded interest in the vehicle whose name or address cannot be determined. A person who has been charged in excess of the charges permitted under this section may sue for damages sustained, and, if the judgment is for the plaintiff, the court shall award the plaintiff a sum not to exceed the amount of these damages and reasonable attorney's fees together with the cost of the suit."

SECTION 7. Act 138, Session Laws of Hawaii 1998, is amended by amending section 3 to read as follows:

"SECTION 3. This Act shall take effect upon its approval[; provided that the amendment set forth in Section 1 shall take effect on September 1, 1998, and shall be repealed on July 1, 2000]."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga rose and said:

"Mr. President, Floor Amendment No. 11 would incorporate the language of S.B. No. 348 which dealt with towing companies. This is a bill that was previously acted upon by the Senate Ways and Means Committee. In Section 4, it also incorporates changes to the original fee bill, which had been discussed and voted upon by the Senate Ways and Means Committee during its decision making hearings."

The motion to adopt Floor Amendment No. 11 was put by the Chair and carried.

By unanimous consent, S.B. No. 425, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FEES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 805 (S.B. No. 792, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 805 be received and placed on file, seconded by Senator Nakata and carried.

Senator Fukunaga moved that S.B. No. 792, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 8) to S.B. No. 792, S.D.2:

SECTION 1. Senate Bill No. 792, S.D. 2, is amended by deleting its contents in their entirety and replacing them with the following language:

"SECTION 1. Section 91-13.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) All [such] issuing agencies shall take action to grant or deny [any] an application for a business or development-related permit, license, or approval within the established maximum period of time, or the application shall be deemed approved[.]; provided that:

- (1) If a timely vote is conducted by a state or county board or commission on an application that would otherwise be approved by operation of law if the board or commission failed to act within the established maximum period of time, the application shall be deemed to be approved only if a simple majority of all board or commission members to which the board or commission is entitled so approve the application, unless a greater majority is otherwise specifically required by law for approval;

- (2) In the event of a conflict between paragraph (1) and section 183C-6(b) or 201G-118(a)(4), paragraph (1) shall control; and
- (3) The automatic approval process described in this subsection shall not apply to any county or state permit related to health and safety."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval."

Senator Chumbley then offered the following amendment (Floor Amendment No. 19) to S.B. No. 792, S.D.2:

SECTION 1. Senate Bill No. 792, S.D. 2, is amended by deleting its contents in their entirety and replacing them with the following language:

"SECTION 1. Section 91-13.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Unless otherwise provided by law, an agency shall adopt rules that specify a maximum time period to grant or deny a business or development-related permit, license, or approval; provided that the application is not subject to state administered permit programs delegated, authorized, or approved under federal law. In adopting rules under this subsection, the agency shall consider health and safety as factors."

SECTION 2. Section 91-13.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) All [such] issuing agencies shall take action to grant or deny [any] an application for a business or development-related permit, license, or approval within the established maximum period of time, or the application shall be deemed approved[.]; provided that:

- (1) If a timely vote is conducted by a state or county board or commission on an application that would otherwise be approved by operation of law if the board or commission failed to act within the established maximum period of time, the application shall be deemed to be approved only if a simple majority of all board or commission members to which the board or commission is entitled so approve the application, unless a greater majority is otherwise specifically required by law for approval; and
- (2) In the event of a conflict between paragraph (1) and section 183C-6(b) or 201G-118(a)(4), paragraph (1) shall control."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval."

Senator Fukunaga then moved that Floor Amendment No. 8 be withdrawn, seconded by Senator Levin and carried.

Senator Chumbley then moved that the Floor Amendment No. 19 be adopted, seconded by Senator Nakata.

Senator Chumbley then said:

"Mr. President, this proposed amendment will add health and safety factors to the consideration and the promulgation of rules and alters the boards and commissions quorums."

The motion to adopt Floor Amendment No. 19 was put by the Chair and carried.

By unanimous consent, S.B. No. 792, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY

PROCESSES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 806 (S.B. No. 803, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 806 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 803, S.D.1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 12) to S.B. No. 803, S.D.1:

SECTION 1. S.B. No. 803, S.D. 1, is amended by amending Section 1, page 3, line 5, to read:

"levels. By June of 1998, the federal government reported that a total of 160,000 employees had voluntarily separated from service."

SECTION 2. S.B. No. 803, S.D. 1, is amended by amending Section 2, subsection (a), to read:

"(a) Prior to obligating any resources for voluntary separation incentive benefits, the respective director or head of all departments, the judiciary, and the University of Hawaii, shall submit to the legislature a strategic workforce reduction and reorganization plan outlining the intended use of the incentive benefits and a proposed organizational chart for the department, the judiciary, or the University of Hawaii once all incentive benefits have been conferred and the reorganization of the department, the judiciary, or the university has been completed. The strategic plan shall include but not be limited to:

- (1) The positions and functions to be reduced or eliminated, identified by organizational unit, geographic location, occupational category, and salary level;
- (2) The number and amounts of voluntary separation incentive payments to be offered;
- (3) A description of how the department, the judiciary, or the University of Hawaii will operate without the eliminated positions and functions; and
- (4) A review of its mission, programs, and operations for the explicit purpose of restructuring and downsizing the workforce in order to achieve the required reductions in general funding and positions.

The strategic plan shall be designed to maximize the continuation of direct services to department or University of Hawaii clients and the public and to reduce middle management and supervisory layers of state government. Departments and the University of Hawaii shall use the voluntary separation incentives provided in this Act, subject to guidelines issued by the departments of budget and finance and human resources development, to the maximum extent possible. The judiciary shall use the voluntary separation incentives provided in this Act and shall develop its own guidelines."

SECTION 3. S.B. No. 803, S.D. 1, is amended by amending Section 2, subsection (c), to read:

"(c) By September 30, 1999, each department shall submit its draft strategic plans to the departments of budget and finance and human resources development for review. The judiciary shall submit its draft strategic plan to the chief justice for review. The University of Hawaii shall submit its draft strategic plan to the president of the University of Hawaii for review. The president of the University of Hawaii may utilize the services and personnel of the departments of budget and finance and human resources development when reviewing the draft strategic plans under the president's jurisdiction."

SECTION 4. S.B. No. 803, S.D. 1, is amended by amending Section 2, subsection (d), to read:

"(d) By October 31, 1999, each department shall submit its revised draft strategic plans to the governor for final review and approval. The judiciary shall submit its revised draft strategic plan to the chief justice for final review and approval. The University of Hawaii shall submit its revised draft strategic plan to the president of the University of Hawaii for final review and approval. Upon the approval by the governor, the chief justice, or the president of the University of Hawaii, as applicable, of each agency's plan, the governor, the chief justice, or the president of the University of Hawaii, as applicable, shall transmit the final strategic plans, draft legislation to approve the strategic plans, and draft legislation to implement any recommended statutory amendments, to the legislature not later than November 30, 1999. If no legislation is required to implement changes recommended in any final strategic plan, then the legislature at a minimum, shall solicit public input and comment prior to acting on any final strategic plan."

SECTION 5. S.B. No. 803, S.D. 1, is amended by amending Section 4 by deleting subsection (h) and re-alphabetizing subsections (i), (j), (k), (l), and (m), to (h), (i), (j), (k), and (l), respectively.

SECTION 6. S.B. No. 803, S.D. 1, is amended by amending Section 4, page 17, line 5, to read:

"the convening of the regular session of 2001. The administrative director of the judiciary shall forward a report on the positions affected to the legislature no later than twenty days prior to the convening of the regular session of 2001."

SECTION 7. S.B. No. 803, S.D. 1, is amended by amending Section 5, page 17, line 18, to read:

"period. The State and each participating county, if applicable, shall make additional payments to the"

SECTION 8. S.B. No. 803, S.D. 1, is amended by amending Section 6, page 17, line 22, to read:

"SECTION 6. (a) Notwithstanding sections 3(i) and 4(l) of"

SECTION 9. S.B. No. 803, S.D. 1, is amended by amending Section 7 to read:

"SECTION 7. (a) The department of human resources development and the judiciary, in cooperation with the employees retirement system, shall provide briefings prior to the implementation of any strategic workforce reduction plan to educate the employees whose positions have been eliminated pursuant to section 2 of this Act.

(b) The department of human resources development shall develop and coordinate a career transition program that shall include but not be limited to vocational training, financial and career planning, and career options for employees who may be affected by this Act."

SECTION 10. S.B. No. 803, S.D. 1, is amended by adding ", the chief justice," following the word "governor" at:

- (a) Page 3, line 18; and
- (b) Page 11, line 13.

SECTION 11. S.B. No. 803, S.D. 1, is amended by adding ", the judiciary," following the word "department" or "departments" at:

- (a) Page 5, line 14;
- (b) Page 7, line 23;
- (c) Page 8, line 7;
- (d) Page 8, line 11;
- (e) Page 9, line 7;
- (f) Page 10, line 4;

- (g) Page 10, line 5;
- (h) Page 12, line 8;
- (i) Page 13, line 17;
- (j) Page 15, line 7;
- (k) Page 16, line 17; and
- (l) Page 16, line 21.

SECTION 12. S.B. No. 803, S.D. 1, is amended by adding ", the judiciary's," following the word "department's" at:

- (a) Page 5, line 21; and
- (b) Page 7, line 22.

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin stated:

"Mr. President, the incorrect draft was decked on this bill. This bill deals with voluntary separation."

The motion to adopt Floor Amendment No. 12 was put by the Chair and carried.

By unanimous consent, S.B. No. 803, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE RESTRUCTURING," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 819 (S.B. No. 1501, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 819 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that S.B. No. 1501, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 9) to S.B. No. 1501, S.D.2:

Senate Bill No. 1501, S.D. 2, is amended as follows:

1. By designating Sections 1 to 8 as "Part I".
2. By adding a new Part II, consisting of Sections 9 to 11, to read as follows:

"PART II.

SECTION 9. Recent studies have found that quality early child care and education services have a dramatic long-term effect on a child's ability to succeed in school, achieve economically, and avoid the criminal justice system. Early child care also benefits the current work force as well, by affecting economic initiatives, productivity of workers, and the success of state welfare-to-work initiatives. The legislature finds that it is important to create new opportunities for early childhood development and education.

The legislature further finds that these centers are particularly important in low income neighborhoods, serving as a safe and nurturing place where parents can meet to talk, volunteer their services, hold regular meetings about school activities and curriculum, as well as attend classes themselves.

The purpose of this Part is to appropriate funds to develop an early childhood development and education center for infants and children up to four years of age in the Kalihi area of Honolulu. In developing this center, the department of education shall draw on the partnerships already developed between Farrington high school, the University of Hawai'i college of education, VISTA tutors, partners from the community, private businesses, organizations, foundations, and parents.

SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary for fiscal year 1999-2000, to develop an early childhood education center for infants and children up to four years of age in the Kalihi area of Honolulu.

SECTION 11. The sum appropriated shall be expended by the department of education for the purposes of this part."

3. By redesignating Sections 9 and 10 as Sections 12 and 13, and designating those Sections as "Part III".

4. By amending the new Section 13 to read as follows:

"SECTION 13. This Act shall take effect upon approval; provided that Part II of this Act shall take effect on July 1, 1999."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then said:

"Mr. President, Floor Amendment No. 9 would contain and incorporate the language of S.B. No. 743, relating to Early Childhood Centers in Kalihi."

The motion to adopt Floor Amendment No. 9 was put by the Chair and carried.

By unanimous consent, S.B. No. 1501, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 823 (S.B. No. 1046, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 823 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Levin moved that S.B. No. 1046, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Levin then offered the following amendment (Floor Amendment No. 5) to S.B. No. 1046, S.D.2:

SECTION 1. Senate Bill No. 1046, S.D. 2, is amended by deleting its contents in their entirety and replacing them with the following language:

"SECTION 1. For several decades, the civil service system has admirably met its mandate to support Hawaii state government's mission to serve the people of Hawaii. Within the past few years, however, with the advancement of digital technology, public needs have changed at a constant and ever-increasing rate. Our current civil service system, which was created at a time when digital technology was at best, mostly theory, has outlived its usefulness. Therefore, for state government to continue to meet the public's needs, the civil service system will have to be modernized to provide flexible, timely, responsive, and people centered personnel support.

To create an opportunity that encourages all stakeholders to work collaboratively to co-create this modernized civil service, it is proposed that a "fresh-start" provision be established for civil service laws. Such a "fresh-start" concept would not only serve to "clear-the-deck" but would also capture the public's attention and thus provide the drive to seriously engage in the process of co-creating a new statutory framework by all stakeholders.

SECTION 2. The director of human resources development is charged with the responsibility to establish partnerships with all stakeholders, labor and management included, and begin to

design and effectuate a process to modernize the civil service system.

The director of the department of human resources development shall identify and work collaboratively with the various stakeholders governed by the provisions of chapters 76, 77, 78, 79, 80, 81, and 82, Hawaii Revised Statutes, in order to draft replacement legislation if deemed necessary. The stakeholders shall include, but not be limited to, the exclusive representatives whose members are covered by these chapters, the conference of personnel directors, the personnel director of the judiciary, and members of the house of representatives and the state senate as designated by the speaker of the house of representatives and the president of the senate, respectively.

It is envisioned that discussions may include but not be limited to, such other issues as negotiability of health benefits, creation of a new classification system, total compensation package which includes pay and benefits, recruitment above the first step of the pay range, autonomy of personnel administration systems, and the civil service commission and public employees compensation appeals board.

The director, with the consensus of the stakeholders shall establish a process for developing as broad-based a series of recommendations as can be agreed upon by the stakeholders in the process.

The director shall submit monthly progress reports to the legislature. The director and the stakeholders shall submit draft model civil service legislation to a joint house and senate labor committee meeting on November 15, 1999. The stakeholders shall continue to meet after the joint meeting and make any revisions to the proposed legislation based on feedback from the joint committee. The director, with the stakeholders concurring, shall present revised legislation for the modernization of civil service legislation for consideration by the legislature by January 15, 2000.

SECTION 3. Notwithstanding any other law to the contrary, the legislature shall adopt legislation to be effective June 29, 2000, to define the employment of persons in the civil service system. Such legislation shall be governed by the merit principle.

SECTION 4. Effective June 30, 2000, chapters 76, 77, 78, 79, 80, 81, and 82, Hawaii Revised Statutes, are repealed; provided that the legislature has adopted replacement legislation for them in accordance with section 3 of this Act.

SECTION 5. This Act shall take effect upon its approval."

Senator Levin moved that the amendment be adopted, seconded by Senator Fukunaga.

Senator Levin then said:

"Mr. President, this bill was acted upon by the Ways and Means Committee and an incorrect draft was decked. This is the correct language."

The motion to adopt Floor Amendment No. 5 was put by the Chair and carried.

By unanimous consent, S.B. No. 1046, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 862 (S.B. No. 1024, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 862 be received and placed on file, seconded by Senator Levin and carried.

Senator Chumbley moved that S.B. No. 1024, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 17) to S.B. No. 1024, S.D.2:

Senate Bill No. 1024, S.D. 2, is amended as follows:

1. By designating Section 1 through Section 12 as "Part I".
2. By amending Section 11 to read:

"SECTION 11. This part does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date. Rules adopted pursuant to the chapters being amended shall remain in effect until the rules are amended, repealed, or replaced."

3. By amending Section 12 to read:

"SECTION 12. All acts passed by the legislature during the Regular Session of 1999, whether enacted before or after the effective date of this part, shall be amended to conform to this part; unless such acts specifically provide that this part is to be amended."

4. By adding a new Part II consisting of Sections 13 and 14 to read as follows:

"PART II.

SECTION 13. The department of health is moving toward adoption of a risk-based environmental management strategy, which is based upon risk assessment to human health and the environment, rather than upon rigid technical standards.

Under the Comprehensive Emergency Response, Compensation and Liability Act of 1980 (CERCLA) and the Oil Pollution Act of 1990 (OPA 90), the department of health has responsibility as a "natural resources trustee." To fulfill this responsibility, the department must have the ability to evaluate the impact of chemical releases and oil spills on the complex ecosystems of Hawaii. This expertise requires an individual who is trained and experienced in the field of ecological risk assessment.

In addition, as a trustee, the department is required to conduct damage assessments and negotiate penalties with those responsible for chemical releases and oil spills that harm the environment.

To do this effectively, the department must have expertise in-house to support the claims made by the State. It is difficult for the department to make its case and negotiate successfully without a credible expert in the area of natural biology and ecological risk assessment. This is a very specialized field of study and the expertise will support all the programs of the environmental health administration.

SECTION 14. Chapter 128D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§128D- Ecological risk assessor. The department may establish a permanent exempt position for an ecological risk assessor for the purpose of assessing ecological risks and damages. The position shall be appointed by the director without regard to chapters 76 and 77. The funds for this position shall come from the environmental response revolving fund established in section 128D-2."

5. By adding a new Part III consisting of Sections 15, 16, and 17 to read as follows:

"PART III.

SECTION 15. The legislature affirms that it is in the public interest that actions which may have a significant impact on the environment be subjected to a formal system of review to ensure that the environmental concerns of the proposed actions are given equal weight to economic and technical considerations. The legislature finds that under existing law,

certain proposed actions which may have significant environmental effects are not subject to the provisions for environmental review, and that such review would provide substantive benefits to the public through judicious evaluations of social and environmental effects, to the private applicant through the identification of appropriate mitigation strategies to minimize adverse environmental effects, and to government through the identification of appropriate planning principles and regulatory actions.

The purpose of this part is to extend the environmental review provisions of chapter 343, Hawaii Revised Statutes, to encompass the proposed use of land subject to discretionary approval by a state or county agency except for those land uses that have minimal or no significant effects.

SECTION 16. Sections 343-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Except as otherwise provided, an environmental assessment shall be required for actions which:

- (1) Propose the use of state or county lands or the use of state or county funds, other than funds to be used for feasibility or planning studies for possible future programs or projects which the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies;
- (2) Propose any use within any land classified as conservation district by the state land use commission under chapter 205;
- (3) Propose any use within the shoreline area as defined in section 205A-41;
- (4) Propose any use within any historic site as designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E;
- (5) Propose any use within the Waikiki area of Oahu, the boundaries of which are delineated in the land use ordinance as amended, establishing the "Waikiki Special District";
- (6) Propose any amendments to existing county general plans where such amendment would result in designations other than agriculture, conservation, or preservation, except actions proposing any new county general plan or amendments to any existing county general plan initiated by a county;
- (7) Propose any reclassification of any land classified as conservation district by the state land use commission under chapter 205; [and
- [(8)] Propose the construction of new, or the expansion or modification of existing helicopter facilities within the State which by way of their activities may affect any land classified as conservation district by the state land use commission under chapter 205; the shoreline area as defined in section 205A-41; or, any historic site as designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or chapter 6E; or, until the statewide historic places inventory is completed, any historic site found by a field reconnaissance of the area affected by the helicopter facility and which is under consideration for placement on the National Register or the Hawaii Register of Historic Places[.]; and
- (9) Propose any use of land when the use is subject to discretionary approval by a state or county agency, except those land uses that have minimal or no significant effects as provided in section 343-6(a)(7).

SECTION 17. There is appropriated out of the general revenues of the State of Hawaii the sum of \$40,000, or so much thereof as may be necessary for fiscal year 1999-2000, to carry out the purposes of this part, including the hiring of necessary staff. The sum appropriated shall be expended by the department of health."

6. By redesignating Sections 13 and 14 as Sections 18 and 19, and by designating these sections as Part IV.

7. By amending the new Section 19 to read as follows:

"SECTION 19. This Act shall take effect upon its approval; provided that Sections 15, 16, and 17 shall take effect on July 1, 1999."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga rose and stated:

"Mr. President, Floor Amendment No. 17 would incorporate the provisions of S.B. No. 516 and S.B. No. 1023, both of which had been acted upon by the Senate Ways and Means Committee. They deal with an ecological risk assessor as well as discretionary approvals by state or county agencies."

The motion to adopt Floor Amendment No. 17 was put by the Chair and carried.

By unanimous consent, S.B. No. 1024, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

Stand. Com. Rep. No. 584 (S.B. No. 1231, S.D. 2):

Senator Nakata moved that Stand. Com. Rep. No. 584 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Nakata moved that S.B. No. 1231, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Nakata then offered the following amendment (Floor Amendment No. 18) to S.B. No. 1231, S.D.2:

SECTION 1. Senate Bill No. 1231, S.D. 2, is amended as follows:

1. By amending page 3, lines 5-7 to read:

"signs.] Smoking is prohibited in all enclosed areas of private workplaces and state-owned or state-controlled workplaces including state-owned or leased vehicles, except that an employer may make provisions for employees to smoke in a designated area of the workplace as long as the nonsmoking employees are not directly impacted. For employees subject to collective bargaining, any provision to allow smoking in a designated area of the workplace shall be a negotiable item."

2. By deleting subsection (c) on page 3, lines 17-19.

Senator Nakata moved that the amendment be adopted, seconded by Senator Chun Oakland.

Senator Nakata then said:

"Mr. President, S.B. No. 1231, S.D. 2, prohibits smoking in workplaces in areas that are confined by four walls and a roof. This amendment would make exceptions that an employer may make provisions for employees to smoke in a designated area of the workplace as long as the non-smoking employees are not directly impacted. And for employees subject to collective bargaining, any provision to allow smoking in a designated area of the workplace shall be a negotiable item."

The motion to adopt Floor Amendment No. 18 was put by the Chair and carried.

By unanimous consent, S.B. No. 1231, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE," was placed on the calendar for Third Reading on Thursday, March 11, 1999.

At 11:23 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.

S.B. No. 498, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 569 (S.B. No. 1429, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 569 was adopted and S.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1404, S.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 1404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1090:

Senator Inouye moved that S.B. No. 1090, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Bunda rose in opposition to the measure as follows:

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

"Mr. President, I believe that the intent of the bill is to target the illegal sale of under-sized lobsters and lobsters with eggs in our local markets. However, the language in this measure states that DLNR may specify in the rules that any marine life taken from the waters of the Northwestern Hawaiian Islands is subject to the same state regulations that apply to the main Hawaiian Islands.

"Mr. President, I have a difficult time with this bill because it would give pretty much a carte blanche authority to the Department of Land and Natural Resources in issuing licenses and doing rules for any marine life. If DLNR had intended this bill to be just for lobsters, then the section title of this bill should not have been amended and the language should have been more species specific.

"However, with this language of 'any marine life,' it appears that DLNR is looking for more latitude and could use the amended language in ways to be economically detrimental to our local fishermen and our local seafood businesses.

"Mr. President, we already have laws in place on both the federal and state levels to effectively manage our valuable Hawaiian fisheries. However, given the free reign that we are going to give to DLNR to do rules on 'any marine life' adds

more bureaucracy -- and again, Mr. President, could impose unjustifiable restrictions on an already struggling fisheries business. We have enough competition from foreign fisheries as it is already.

"Mr. President, I urge all my colleagues to vote 'no' on this measure."

Senator Inouye, rising in support of the measure, then stated:

"Mr. President, I'm in support of S.B. No. 1090.

"Senate bill 1090 proposes to allow DLNR to specify that marine life taken from the Northwest Hawaiian Islands may not be regarded as important animals and may be subject to the same state regulations that apply in the main Hawaiian Islands. In the past, DLNR has used this license to allow the sale of Northwest Hawaii animals in the state, but recent changes in the federal management plan for lobsters in North Hawaii have resulted in undersized and lobsters with eggs appearing in the local markets. The department believes that the sale of these lobsters should not be allowed in the state.

"In addition, recent data indicated that the Northwest Hawaii and the main Hawaiian Island lobsters are the same population stock, and this suggests that the same regulations should apply to both groups. This bill, Mr. President, would clearly authorize the department to state that local sales of undersized and lobsters with eggs would no longer be allowed under this license.

"I urge my colleagues to support S.B. No. 1090 and strongly urge its passage.

"Thank you, Mr. President."

Senator Slom then said:

"Mr. President, a point of clarification.

"May I ask the chair of Economic Development about that issue? Is this bill limited strictly to lobsters or does it, in fact, apply to any marine life? Thank you."

Senator Inouye responded:

"Mr. President and to my colleague, I think it particularly is strictly to lobsters."

Senator Iwase then inquired:

"Just to follow up on that, where in the bill does it say that it is limited strictly to lobsters?"

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

Senator Inouye then said:

"Mr. President, in light of the concerns raised, the Committee on Economic Development has received H.B. No. 1180 which regards the same title, and the chair at this time would recommend that we recommit S.B. No. 1090."

The Chair so ordered.

By unanimous consent, S.B. No. 1090, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE," was recommitted to the Committee on Economic Development.

S.B. No. 1134, S.D. 1:

Senator Kanno moved that S.B. No. 1134, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak against the measure and said:

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

"As a senior citizen, and one more mature than many of my colleagues, I take umbrage in the thrust of the bill that senior citizens are not able to read contracts or to understand reverse mortgages, which have become popular on the Mainland. It is true that in some cases there have been abuses or deceptive practices, but that has not been the case in Hawaii. This bill is a bill that seeks to address a problem which does not exist and has not existed, and it requires counseling of individuals, primarily seniors, and many of us are capable of reading, and it provides penalty provisions for financial institutions.

"I think that we should have as much choice as possible. And because, as I said, there has been no evidence of any problems here, I think that this bill is not necessary, so I'm going to vote 'no.'

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 1134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," 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. 583 (S.B. No. 368, S.D. 1):

Senator Nakata moved that Stand. Com. Rep. No. 583 be adopted and S.B. No. 368, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Iwase rose to speak with reservations on the measure as follows:

"Mr. President, please cast an 'aye' vote with reservations for me on this bill. I believe it runs afoul of Article 3, Section 14, of the Constitution -- one subject. The title and the purpose of the bill do not appear to be in sync.

"Thank you."

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

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

"Mr. President, the County of Kauai has one of the few medical incinerators located within the State of Hawaii. This medical incinerator has been operating, to my knowledge, satisfactorily for many years.

"This bill would, in essence, at the end of the term of its current permit, require it to shut down, which would further limit the number of licensed medical incinerators within the State of Hawaii. That could have a devastating impact for the citizens of the County of Kauai and also for the State of Hawaii. If we would have to shut down and cannot burn the medical waste safely within the State of Hawaii, within the County of Kauai, the patients -- you and I -- would have to pay for those costs. The only other way we can get rid of those efficiently is either probably shipping them off to another island or shipping them off to the Mainland. That would add extraordinary costs and it's costs that we cannot bear.

"I trust, though I think the intent of the bill is good, that it is to insure that the safety of all people living close to medical incinerators is protected. I believe in the intent of the bill. I

also believe that one of the intents of the bill is to have medical incinerators that are currently licensed to upgrade their facilities to meet even more stringent EPA requirements. I believe, Mr. President, that will happen and I believe that will happen regardless of whether or not we take action on this bill or not. But for purposes of protecting the interests and making the interests known of my constituents, I would have to favor this bill, but also with reservations.

"Thank you, Mr. President."

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I think that, first of all, in listening to the discussion about this bill, the technology was not even properly addressed in terms of medical waste. Secondly, the firms that have been adequately permitted by the Department of Health and other agencies, I think, should be allowed to operate in that manner.

"My colleague from the Garden Island expressed concerns in terms of limiting the use of these medical waste facilities. And during the conversations in committee, there were a lot of statements made about the position of the federal environmental agency, and the statements later turned out to be false in that the Environmental Protection Agency, the EPA, does not in fact have any limitations in terms of distance or nearness to facilities at the present time.

"Thank you, Mr. President."

Senator Nakata rose to speak in support of the measure and stated:

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

"I have been in conversation with my colleague from Kauai and understand his concerns, and we will be talking to our House counterpart to address the issue.

"And as far as the 500 foot limit, this was recommended to us by the Department of Health.

"Thank you."

Senator Sakamoto, rising to speak with reservations, then said:

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

"I'm in full accord of the intent, which is to address the potential hazards to the residents from emissions that may affect them, but the need for medical health facilities have not been addressed. What and how much waste are we talking about? Is it economically feasible and environmentally safe to build these facilities here? Or would it be more economical to ship the waste outside of Hawaii or outside of Kauai, or outside of wherever? Now, our Governor and most of us kind of agree that we want Hawaii to be a place for a health state, a medical technological center. How can we be that if we cannot address our medical waste?

"This bill does not allow, as the Kauai Senator said, hospitals and other facilities to deal with their own waste. Many times it's safer and far more economical to dispose of the waste at the source and not risk handling, transportation, refrigeration and many other potential problems. I think this bill needs a lot more thought, Mr. President.

"Thank you."

Senator Anderson rose and said:

"Would you have the Clerk record a W/R for me, please. I want to go over some things."

The Chair so ordered.

Senator Bunda added:

"A W/R for me, Mr. President."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 583 was adopted and S.B. No. 368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL PROPERTY OCCUPANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Levin, Taniguchi).

Stand. Com. Rep. No. 585 (S.B. No. 211, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Buen and carried, Stand. Com. Rep. No. 585 was adopted and S.B. No. 211, 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 (Levin).

At 11:51 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.

Stand. Com. Rep. No. 586 (S.B. No. 813, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 586 be adopted and S.B. No. 813, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom, rising to speak with reservations, then said:

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

"My reservations have to do with our expanded use of special purpose revenue bonds, and we'll have a number of other bills coming up a little bit later. I raised this issue last year. There is a question whether or not the state is going to have any liability whatsoever, since we're putting our name and facilitating the issuance of these bonds.

"Secondly, we seem to be broadening the original purpose and use for health and welfare of these bonds.

"And thirdly, I guess the question should be whether or not there is going to be any limit to the issuance of special revenue bonds.

"So I raise those questions and probably will address them specifically in other bills.

"Thank you, Mr. President."

Senator Fukunaga then responded:

"Mr. President, I'd like to respond to the remarks of the prior speaker. I'm speaking in support of the measure.

"I do want to assure the good Senator from the Hawaii Kai area that these bills provide the authorizations for special purpose revenue bonds to be issued and the Department of Budget and Finance fully and very carefully screens every specific authorization.

"The bonds themselves are only procured if there is a market for them. So in this instance, we have a utility bond which is

being sought. We have never seen any of these special purpose utility bonds, which the Legislature has authorized, run into any kinds of problems. So I do want to assure the good Senator that every effort is made to carefully check the companies and the markets for these issuances and we are providing the authorizations therefore.

"For all of the above reasons, we would urge our colleagues to vote in support. Thank you."

Senator Slom then rose and said:

"Mr. President, I want to thank my colleague from Makiki, Tantalus, Ala Moana, all points mauka, makai, and so forth.

"I would just like to inquire, however, that in speaking with the Department of Budget and others, if any of these bonds that are actually issued, if there is a default, is the State totally and completely immunized from any liability? That really is the basis of my question. Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 586 was adopted and S.B. No. 813, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY IN SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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.

Stand. Com. Rep. No. 590 (S.B. No. 1130, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 590 be adopted and S.B. No. 1130, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"Basically, my questions are, What the cost of this bill is going to mean? Who's going to pay the cost, whether it's going to be the HMOs or whether it's going to be passed along to patients? And also, questions of staff. And really, the bottom line is the necessity for this bill, but I will support it with reservations.

"Thank you."

Senator Anderson then said:

"Aye, with reservations, also."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 590 was adopted and S.B. No. 1130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 591 (S.B. No. 1144, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 591 be adopted and S.B. No. 1144, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

"The bill proposes to take a portion of the franchise tax and we're not sure just exactly how much and how we're going to do that. More importantly, though, is where the money is going to go, what it's going to be used for, and what do the taxpayers and the customers of the financial institutions get? So I'm voting 'no' against this bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 591 was adopted and S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," 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. 592 (S.B. No. 1145, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 592 was adopted and S.B. No. 1145, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 594 (S.B. No. 1282, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 594 be adopted and S.B. No. 1282, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 594 was adopted and S.B. No. 1282, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF 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. 596 (S.B. No. 1290, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 596 be adopted and S.B. No. 1290, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom, rising in support with reservations, then said:

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

"For a long time, those of us in the private sector were urging the State to make good on its promise under the prepaid health care act and take care of employees. And for a long time we've watched as by subterfuge certain departments, such as the Department of Health, have used the ruse of having part-time, casual, temporary, emergency hires so that they would not in fact have to pay medical insurance for them.

"This bill is a good bill in that it will offer all part-time, temporary, seasonal and casual employees the opportunity to get health insurance on their own, and they will pay for that. And that, I think, is a very good idea.

"I would just caution, and my reservations are two fold, that we don't come back here next year or the year after and then say that all of the same employees -- casual, part-time, and so forth -- will be paid by the State, and/or that any monies that casual, part-time employees have previously paid will be subject to reimbursement by the State. That's my only caveat.

"Thank you, Mr. President."

Senator Anderson, also rising to speak with reservations, then said:

"Mr. President, I also have some reservations, pretty much with what the Minority Floor Leader said, but also we do have many, many temporary employees. Some of them, I guess, have been here for 12-14 years. I would rather see a bill that says that we're going to make them permanent and that from that day on we would pay for all of their medical and any other benefits that they receive.

"What we have done for a number of years is play games. Consequently, if I remember correctly, last year or the year before, the State said they didn't know how many employees they had. And that was one of the reasons -- some are temporary, some are casual. We really don't know how we're putting them all in there. And this bill is trying to help them out and I believe in it.

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 596 was adopted and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," 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. 1544, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 598 be adopted and S.B. No. 1544, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to speak against the measure and said:

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

"The only reason is that we've, again, made a lot of problems in the past. We've allowed people to, I guess, have an easy out at 25 years of service with no age at all as part of the reason that they're getting out of government. Now, you can come into government at age 20 or 21 and retire after 25 years. We're trying very hard to help the economy by getting jobs for people. Those people would be young enough and most certainly would not want to retire, really, at age 45 or 46. And then they would go out into the community and take the very jobs that we're trying to create. Or, we would find out, like the teachers, that we made a big mistake and we really need those people back, and then we would hire them back again.

"If we were to write this bill, when it goes over, it would be that we would have to add an age factor of 55, 60, or whatever, and the 25 years added on to that. In private enterprise, my own spouse had to wait 41 years with Hawaiian Airlines because she didn't have the age to get out earlier. So she had to wait until age 62 with 41 years of service. Now, I don't think we have to go that high, but we most certainly should at least hang on to a 55 years or up with 25 years of service.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 598 was adopted and S.B. No. 1544, S.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, 1 (Anderson).

Stand. Com. Rep. No. 601 (S.B. No. 809, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 601 be adopted and S.B. No. 809, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in support of the measure with reservations as follows:

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

"I think it's a good bill and it's a good idea to allow sole proprietor owners with valid commercial registration for a catamaran to transfer, but why don't we do that for other commercial vessels? I think we should expand that instead of limit it just to one or two catamaran vessels.

"Thank you, Mr. President."

Senator Anderson then said:

"I have the same reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 601 was adopted and S.B. No. 809, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 602 (S.B. No. 976, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 602 be adopted and S.B. No. 976, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I'd like to rise in favor of this bill.

"Mr. President, there is a construction industry amounting to \$350 million to \$400 million coming down our pike every year, and yet we don't have an opportunity for research, an opportunity to provide a level playing field for the construction industry, and we have other agencies that do research for less amounts of money. Therefore, I request that my colleagues vote 'aye' on this bill."

Senator Slom rose in opposition to the measure as follows:

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

"Mr. President, I agree with my colleague that the construction industry, of course, is very vital and very important. It's the foundation of our economy, and right now it is suffering. However, as testimony indicated, to set up a branch within the State Department of Business and Economic Development -- first of all, they oppose the bill; they don't want to do it. I learned a long time ago, if you ask somebody to do something and they don't want to do it, they're not going to do a very good job.

"Secondly, I think that we do have a lot of research and data from private institutions and public institutions in the state.

Thirdly, I think the construction industry, the construction unions can tell us all about the statistics. It's not a question of research gathering. It's not a question of hiring more staff. It's a question of getting more jobs and turning this economy around and improving the business climate. So therefore, I'm opposed to this addition of bureaucracy within the state.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 602 was adopted and S.B. No. 976, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," 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. 610 (S.B. No. 1157, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 610 was adopted and S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 611 (S.B. No. 1185, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 611 was adopted and S.B. No. 1185, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 615 (S.B. No. 1005, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 615 be adopted and S.B. No. 1005, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak with reservations on the measure as follows:

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

"I support the intent of the measure to get subcontractors paid in a timely fashion. However, I do not believe the measure recognizes the operational realities of the construction industry. For example, if a contractor issues payments to three of his subs one day late, per the bill, he'll probably be incurring all three fines and be prohibited from bidding for three years. That's not right.

"Additionally, the measure does not recognize that the fine may greatly exceed what the sub is owed and that there may be a legitimate reason for the late payment. So here are a couple of suggestions to help make the bill better -- maybe adding discretion to the fines up to a certain established amount, or the balance owed the subcontractor, whichever is less. And secondly, possibly calculating the number of offenses by counting one or more times . . . let me clarify. If you have one disbursement, but you have several untimely payments on the same disbursement, that should be one violation, as opposed to three.

"I believe we can support this measure, but it does need more work and we need to take care of good contractors and not let incidents of some bad generals get everybody in trouble.

"Thank you, Mr. President."

Senator Tam rose in support of the measure and said:

"Mr. President, I'm in support of this bill.

"My only message is that this bill was supported by the administration so that they could set us apart from being in between the general contractor and a subcontractor.

"Thank you."

Senator Slom then said:

"Mr. President, reservations, please."

The Chair so ordered.

Senator Chun then said:

"Mr. President, I speak in favor of the measure with reservations. I support the comments made by the Honorable Senator from Moanalua and Salt Lake."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 615 was adopted and S.B. No. 1005, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Anderson rose on a point of information as follows:

"Mr. President, I stand on a point of information.

"Information, I guess, more for others. I thought I was way off, but when we pulled those bills this morning for amendments, this was part of the amendment. And because we're not in your room, it's hard. We have the bills. Because originally we were going to hear them, and now they are part of another bill. So that's why I was reading that. It came up the way my staff put it, and it's my fault, but that's why it's so confusing for us. We didn't go into your little caucus for 23.

"I apologize for my ignorance, but I also don't apologize for my staff doing a good job. Thank you."

The Chair added:

"And you are lobbying for more staff next year? I get that."

At 12:11 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.

Stand. Com. Rep. No. 618 (S.B. No. 145, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 618 was adopted and S.B. No. 145, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 620 (S.B. No. 200):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 620 was adopted and S.B.

No. 200, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 621 (S.B. No. 802):

Senator Fukunaga moved that Stand. Com. Rep. No. 621 be adopted and S.B. No. 802, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I stand in opposition to this bill.

"Again, trying to be entirely consistent over the last three years, any bill that is going to establish a special fund, I'm going to oppose, because I believe what the Tax Foundation of Hawaii has advised us, what our Legislative Auditor has advised us -- we should not be creating more special funds. It makes it extremely difficult to account for the money and to be accountable to the taxpayers.

"So for that reason and that reason only, I oppose the bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 621 was adopted and S.B. No. 802, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 622 (S.B. No. 835, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 622 be adopted and S.B. No. 835, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, again, I rise in opposition.

"I oppose the bill again because it establishes a special fund. Thank you."

Senator Iwase then asked that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 622 was adopted and S.B. No. 835, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 628 (S.B. No. 1235, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 628 be adopted and S.B. No. 1235, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I don't think we need yet another task force. I think we've heard testimony for years. We have people, native Hawaiians and other people, that are practicing alternative medicine. What we need to do is to get the government out of the way and allow

for the more widespread use of alternative medicines -- not another task force.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 628 was adopted and S.B. No. 1235, 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, 22. Noes, 2 (Anderson, Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 631 (S.B. No. 605, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 631 be adopted and S.B. No. 605, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak in support with reservations on the measure as follows:

"Mr. President, I rise in support with reservations.

"I understand your committee finds that this bill is necessary because of a possible growing problem in Hawaii, but first, a crime is a crime whether it is done out of prejudice toward another person or not. A crime that is hate or bias motivated doesn't carry any more weight than the same crime that was committed by someone without this bias. Penalties should be imposed on the criminal action no matter why it was done, but because it was done. And if we want to create stiffer penalties, then it should be stiff all the way around.

"Thank you."

Senator Slom, also rising to speak with reservations, then said:

"Mr. President, I support the bill with reservations and I support the comments made by my colleague from Moanalua.

"I think it's time, first of all, that we enforce the laws that we have and that we provide actual punishment for actual crimes. I am concerned about the broad nature and the vagueness within this bill, although the intent is a good one.

"Thank you."

Senator Chun then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 631 was adopted and S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 634 (S.B. No. 901, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 634 was adopted and S.B. No. 901, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 635 (S.B. No. 902, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 635 be adopted and S.B. No. 902, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

"A fee is a tax, is a tax, is a tax. We have a lot of bills that are proposing new fees or increased fees. I don't like the idea of a storage fee of \$5 in this bill because the \$5 will then become \$10 and \$15 and \$20, and I think storage is a part of the operations of any agency.

"I vote 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 635 was adopted and S.B. No. 902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS MANAGEMENT SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 641 (S.B. No. 1638, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 641 be adopted and S.B. No. 1638, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure as follows:

"Mr. President, I rise in support with reservations.

"The problem I have with this bill is it seems to put the emphasis on salaries for administrators and officers and also encourages, I would say, more people to leave the classroom and become administrators. I think that's one of the problems we have with our educational system. We've got too many administrators and not enough teachers. I think we should take care of the teachers first and put our emphasis and our focus there.

"Thank you."

Senator Anderson rose and said:

"Would you add reservations for me also. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 641 was adopted and S.B. No. 1638, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 642 (S.B. No. 531, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 642 be adopted and S.B. No. 531, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Matsuura rose to speak in support of the measure with reservations as follows:

"Mr. President, I stand in support with reservations.

"As one familiar with agriculture, I'd like to emphasize that in a time when we are trying to be more efficient and save money, I'd like to re-emphasize that the use of herbicides is the most efficient way for roadside management of vegetation.

"Thank you."

Senator Chun also rose to speak with reservations on the measure as follows:

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

"Mr. President, this bill proposes to establish a roadside vegetation committee composed of representatives of the Department of Transportation, the counties, and different experts in the field of bio-diversity and landscape architecture. Mr. President, I agree with the intent of the bill which is to use the best method to control vegetation on roadsides and highways.

"However, Mr. President, I really feel that, that kind of decision should be made by the people, the people most responsible for that, and that is the agencies from which the jurisdictions of the roadside fall, because they are the ones that have to weigh all the aspects of everything dealing with the maintenance of roadsides. They have to deal with the issue of personnel needed. They have to deal with the issue of the equipment needed. They have to deal with the issue of the environment. In essence, Mr. President, they have the responsibility of maintaining the public trust for their jurisdictions. And Mr. President, I believe that the more we dilute that public trust by putting layers and layers of bureaucracy on them, the less we have accountability.

"So, Mr. President, while I do agree with the intent of that -- to require those people making those decisions to consider those factors -- I believe establishing another bureaucracy, another commission, another group to oversee that, is just another bureaucracy which is not needed in our government.

"Thank you, Mr. President."

Senator Kawamoto rose to speak in support of the measure and stated:

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

"Mr. President, as we went through the hearing on this bill, the Department of Transportation indicated that they would lead this committee and they are also working on programs to, again, minimize the use of herbicides to establish roadside maintenance.

"We realize in Hilo and in Kaneohe and Kailua there is difficulty in controlling the weeds, but we're still working. We originally had a suspense date, but we took that out.

"I urge my colleagues to vote 'aye' on this bill. Thank you."

Senator Iwase, rising to speak with reservations, then said:

"Mr. President, coming from a district that has a lot of freeways and weeds, I'd like to rise in support of the bill with reservations for the reasons expressed by the Senators from Hilo and South Kauai.

"Thank you."

Senator Inouye, rising in support of the measure, then stated:

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

"As referenced earlier, this bill allows for the transportation highways to minimize roadside spraying and the use of herbicides and I strongly urge my colleagues to support the bill.

"Years ago, the County of Hawaii had introduced and initiated action to curb herbicide spraying. It's been working well and we hope that it continues throughout our State, as well, on behalf of our children and those that walk along the roadsides.

"This bill also initiates actions to study it further and hopefully that will succeed in eliminating herbicide spraying on our highways in the State.

"Thank you, Mr. President."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'm going to vote 'no.' Originally, I was going to vote with reservations, but I wanted to be consistent with how I've been over the years.

"I used to sell the chemicals for roadside herbicide use. Today, the chemical companies have got to go along with all kinds of rules and restrictions on what that chemical can do. They are scrutinized by everybody. They are biodegradable, OSHA approved. They are approved by everybody and his brother. It's not like the old days where you had chemicals that were going down into the drinking water, just draining down. It's needed today to make sure that it's a lot more cost effective to spray the weeds to make sure that our roadsides look better.

"So, for those reasons I will be voting 'no' on this measure and also I don't think we need a task force for it. Thank you."

Senator Slom then said:

"Reservations, please, Mr. President."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 642 was adopted and S.B. No. 531, S.D. 2, 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, 24; Noes, 1 (Anderson).

Stand. Com. Rep. No. 643 (S.B. No. 568, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 643 be adopted and S.B. No. 568, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure as follows:

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

"I think we all support and are concerned about preservation of native Hawaiian burial sites and artifacts. But I am concerned about putting this within the DLNR and also creating a new specialty called Burial Specialist. The State has supported the Bishop Museum, financially and otherwise, for many years, has called on the Bishop Museum with trained anthropologists to do this job and provide this service for many departments of state. And now we note that the Bishop Museum is laying off people and having a difficult time, and this is truly one of the treasures within our State.

"So I see two things here -- we're neglecting something that we have supported for many years and we're creating additional employment and additional bureaucracy within DLNR.

"So, for those reasons, I have reservations. Thank you, Mr. President."

Senator Anderson then said:

"W/R for the same reasons."

Senator Sakamoto then added:

"W/R in support of Bishop Museum."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 643 was adopted and S.B. No. 568, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 645 (S.B. No. 1080):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 645 was adopted and S.B. No. 1080, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 654 (S.B. No. 1128, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 654 was adopted and S.B. No. 1128, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 655 (S.B. No. 716):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 655 was adopted and S.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

Stand. Com. Rep. No. 656 (S.B. No. 942, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 656 was adopted and S.B. No. 942, 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, 25. Noes, none.

Stand. Com. Rep. No. 657 (S.B. No. 869, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 657 be adopted and S.B. No. 869, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Bunda, rising to speak with reservations, then said:

"Mr. President, I rise to speak with reservations on this measure.

"Mr. President, I support the intent of this bill to increase counselors at the schools and we all need to support programs that fully addresses the needs of 'at-risk' students. However, in this instance we need to be sure that we are making the situation better, not worse! According to the language of the bill, the Department of Education shall set appropriate counselor to student ratios and adjust the staffing of counselors at schools with a disproportionate number of 'at-risk' students. Mr. President, how do we define appropriate? And how do we define disproportionate? Mr. President, how can we expect such ambiguous instructions to result in a specific outcome?"

"The Committee report acknowledges the very real possibility of two unintended consequences of this bill:

1. That this bill may force the redistribution of existing school counselor positions between school districts unless funds are appropriated to create more positions; and
2. That schools would be tempted to retain their counselors by simply designating more students as 'at-risk.'

"I agree with both of these unintended consequences. However, the amendment that was added to the bill to avert these consequences requires schools to use the CSAP basis for designating 'at-risk' students. Presently, Mr. President, schools do use this approach to designate 'at-risk' students. The truth of the matter is that this approval is still a numbers game, so this bill is really not a solution to the problem.

"Mr. President, are we prepared to fund more counselor positions for the management of 'at-risk' students? If not, it would make more sense for us to direct the department to make more strategic decisions on the funding and placement of its counselors.

"Thank you, Mr. President."

Senator Slom then said:

"Mr. President, based on the powerful logic of the Senator from Wahiawa, please put me down with reservations."

Senator Iwase rose to speak with reservations on the measure as follows:

"Mr. President, for the reasons expressed by the Senator from Wahiawa/North Shore, I'd like to cast an 'aye' vote with reservations.

"I do want to emphasize a point that he is making. We have a very, very fine program in the Wahiawa/North Shore area for alternative education students -- an outstanding program, probably something which could not be replicated elsewhere. They have a good, strong, innovative staff, and I would hate to see that program, which has existed for so very long and has helped so very many students, get caught up with unintended consequences because the reality of it all is that the kids are going to get hurt.

"So I hope these issues are addressed and taken to heart by the chair of the Education Committee as we move forward, and not allow kids to fall through the cracks because of unintended consequences.

"Thank you."

Senator D. Ige then stated:

"Mr. President, I'd like to insure all the members of the Senate that we will be looking at all of those issues as this measure proceeds forward."

Senator Kawamoto rose to speak with reservations on the measure as follows:

"Mr. President, I'll be rising to vote 'aye,' with reservations.

"Again, since 1996 we have advocated alternative means of education and adult education was one of them. And I've always requested that adult ed have a counselor. They graduate 500 students a year. Therefore, Mr. President, I'd like to urge the chairman of the Education Committee to take that forward in conference.

"Thank you."

Senator Anderson then said:

"Because of the two Senators from God's country, I'll be going with reservations also."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 657 was adopted and S.B. No. 869, 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. 664 (S.B. No. 1238, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 664 be adopted and S.B. No. 1238, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 664 was adopted and S.B. No. 1238, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 665 (S.B. No. 1251):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 665 was adopted and S.B. No. 1251, 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. 666 (S.B. No. 1276, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 666 be adopted and S.B. No. 1276, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose in opposition to the measure as follows:

"Mr. President, I'm going 'no' on this particular measure.

"I've stated before that the superintendent should really be appointed by the Governor. What happens is the governor has a four-year term. The board of education has, at this time, jurisdiction over the superintendent, and they have a five-year contract. That means that if we get a new governor, that governor will have to have that superintendent supposedly for an extra year, and they may not agree with that person. Also, the superintendent sits on the cabinet for the governor, and it makes it rather difficult.

"I don't think that anyone should get a 5-year contract in the first place, but I believe that if he or she does a good job, appointed by the governor, they would be there for four years and that's a contract within itself. And if the governor runs for re-election and makes it, that might be another four years, so that's eight years. I think that, that's fair and equitable, but just for this particular bill, I'm opposed to it and I will be going 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 666 was adopted and S.B. No. 1276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," having been read

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

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 675 (S.B. No. 1608, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 675 was adopted and S.B. No. 1608, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 676 (S.B. No. 223, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 676 be adopted and S.B. No. 223, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in support with reservations on the measure and said:

"Mr. President I speak in support of the bill with reservations. My reservations are that we do not have a cost figure as to how much this is going to cost for the dogs. And anything that can be done to increase the safety of public service, public safety officers, and to reduce liability costs will be welcomed. But I think we are derelict when we pass bills and we don't have specific cost estimates so we know what the program is going to cost taxpayers.

"Thank you."

Senator Anderson, also rising to speak with reservations, then said:

"I have some reservations only because I received some information saying that the department already has canines and they weren't sure if this would, in any way, be a conflict on the programs that they have, the money that they get. And they were a little worried about this bill and what it would do since they already have established a canine corps. And I'm not sure if the chairman looked into it, but that's the notice that I got from some of the concerned people.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 676 was adopted and S.B. No. 223, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF 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. 678 (S.B. No. 1159, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 678 be adopted and S.B. No. 1159, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in support with reservations as follows:

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

"We all support the crime victim compensation fund and the ideas. I'm just concerned why we're taking out the 30 percent limitation on operation costs and salaries. I think that, first of all, 30 percent already is a sizeable amount, but to withdraw that limit and not have any limitation on administrative

expenses provides us with the opportunity to spend more for staffing than we do for the victims themselves.

"Thank you."

Senator Chun then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 678 was adopted and S.B. No. 1159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 679 (S.B. No. 207):

Senator Fukunaga moved that Stand. Com. Rep. No. 679 be adopted and S.B. No. 207, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"Again, S.B. No. 207 creates a special fund for the Board of Certification and I oppose special funds.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 679 was adopted and S.B. No. 207, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, M. Ige, Slom).

Stand. Com. Rep. No. 680 (S.B. No. 1150, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 680 be adopted and S.B. No. 1150, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"I think that the fine that has been increased is excessive.

"Thank you."

Senator Anderson then said:

"Would you please record a W/R for me."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 680 was adopted and S.B. No. 1150, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 681 (S.B. No. 1152):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 681 was adopted and S.B. No. 1152, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 682 (S.B. No. 1153):

Senator Fukunaga moved that Stand. Com. Rep. No. 682 be adopted and S.B. No. 1153, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 682 was adopted and S.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 683 (S.B. No. 1131, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 683 be adopted and S.B. No. 1131, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure as follows:

"Reservations, Mr. President, because of the size of the increase of the mandatory insurer contribution."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 683 was adopted and S.B. No. 1131, 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. 684 (S.B. No. 1140, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 684 was adopted and S.B. No. 1140, S.D. 2, 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.

Stand. Com. Rep. No. 685 (S.B. No. 1279, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 685 be adopted and S.B. No. 1279, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I oppose the bill because we're establishing the USF as a special and separate fund outside of the treasury. Therefore, it's going to be more difficult for accountability and responsibility.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 685 was adopted and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL

SERVICE 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. 686 (S.B. No. 1294, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 686 was adopted and S.B. No. 1294, 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, 25. Noes, none.

At 12:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:48 o'clock p.m.

Stand. Com. Rep. No. 690 (S.B. No. 1430, S.D. 2):

Senator Kawamoto moved that Stand. Com. Rep. No. 690 be adopted and S.B. No. 1430, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Kawamoto rose in support of the measure and said:

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

"Mr. President, this bill is for the safety of our young people. I urge all my colleagues to vote 'aye' on this bill."

Senator Buen rose to speak in support of the measure and stated:

"Mr. President, I ask my colleagues to support this bill for the safety of children and to save their lives in requiring children under 12 to wear helmets while operating a wheeled apparatus on public property.

"Children account for one-third of all bicycle fatalities and one-third of the bicycle related traumatic brain injuries.

"I was asked to introduce this bill, Mr. President, by one of my constituents on the Island of Lanai. Their daughter was nine years old when she was riding her bicycle and collided with a cement truck. She had a helmet on which saved her life and today this child is a freshman in high school. She's doing well academically and is on the varsity softball and tennis teams, and she's just doing really well.

"Over the last year-and-a-half, Lanai has had four serious accidents involving bicycles. All four bike riders, three children and one adult, were not wearing a helmet. Of the three children, one of them is in a wheelchair with brain damage. This child was riding her bicycle in the park and ran into a fire hydrant, hit her head on the fire hydrant, and today she is in a wheelchair and has brain damage. Another had surgery to reconstruct his face, and the last had a nasty bump on his head but was very lucky. The adult had died of massive head injuries.

"Please give the children a fighting chance and give them a chance to live, as this child on Lanai has and is doing well.

"I ask my colleagues to vote on this bill for the sake of the children. Thank you."

Senator Chun rose in support of the measure and said:

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

"Mr. President, I applaud the courage of the Senator from the Fourth District to present a bill like this. There has been in the

past many efforts to put in bills to require minors to wear helmets whenever they're riding bicycles or other wheeled apparatus on public roads. For one reason or another, those bills have failed. There are a number of reasons why people don't like these bills.

"One is, they say it's another step to try to require licenses for motorcycles for adults. Mr. President, that is not the case over here. These are minors we're talking about. Minors are important to our society and I think we need to put bills out forward to affirmatively protect their interests.

"Secondly, they talk about questions regarding the cost of a bicycle helmet to protect the life of the child. Mr. President, looking around the stores over here and being the father of two young children who would fall into the protection of this bill also, the cost is minor compared to the cost of the life of a child.

"Finally, Mr. President, there might be comments in terms that this bill might be too broad and might do too many things. For example, it does propose to require riding with helmets on any kind of public property where there are no vehicles or trucks around. But, Mr. President, I think we should not lose focus upon the intent of this bill, and that is to protect the lives of children. And if there are any details that need to be worked out, we can work them out, but we should never lose sight of that.

"Thank you, Mr. President. I will be voting in favor of this bill."

Senator Slom rose to speak with reservations on the measure as follows:

"Mr. President, I will be voting in favor of this bill also, with reservations.

"I think some of the reservations include the fact that we continually have government intervening in the individual responsibility in the case of parents for their children, and I, too, am a parent of two very young children. I'm very concerned about this, but I am concerned about the broad nature of the wheeled apparatus that we're talking about.

"I'm also concerned that, originally, this bill, when it was first introduced, would criminalize parents -- was going to fine them. And anyone who is a parent, particularly of a young child, knows that it's very difficult, as careful and conscientious and safety conscious as you are, to watch them and be careful of them every moment of the day.

"When we talk about public property, as the good Senator just mentioned, we're not talking about just being on the roadways but we're talking about sidewalks fronting our homes, because that is public property as well.

"We also have a problem in that a number of people would like to see this bill or this kind of law extended to 18 because, in fact, if we're talking about a minor, we can raise the age past 12.

"Also, we're seeing within our community, particularly on Oahu, the wholesale removal of school apparatus because of injuries that have taken place or injuries that might take place. And I guess I just wonder, Mr. President, how many of us have survived over the years if we take away all of the responsibility for individuals and entrust it to government. I think that we're doing a disservice.

"So, I will support the bill. I am concerned about children, but I also have this cautionary note that maybe we are looking in too broad an area.

"Thank you."

Senator Sakamoto, also rising to speak with reservations, then said:

"Mr. President, I rise in support with reservations.

"So I wholeheartedly agree with the safety factor and I think the stories that the Senator from Maui shared about injuries go a long way if children can hear those stories and their parents can hear them. But when I was a youngster, I rode my bicycle on the public streets to learn. And I think many parents in communities that we all live in, let their children ride in front of their house, ride in the park, and I don't think passing this bill will change that.

"I think passing this bill with a broad picture of where helmets are required will turn our community to disrespect the law and parents will tell their kids just ride and be careful. I think we ought to look at restricting where we restrict, as opposed to the broadness of this bill. Perhaps restrictions on streets with speed limits over 35 miles an hour might be a way to start the process.

"Thank you."

Senator Anderson also rose to speak on the measure with reservations:

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

"I'm just wondering if we make a law like this and it says that you shall wear a helmet if you're on public streets and you shall be subject to a \$50 fine, those people that cannot afford that, we are already taking care of because of the safety net that we have. Can they then go down and say, my child has as much rights as others, so the government should pay for this because you made that particular law.

"The other thing that bothers me is, right now it says a helmet. My grandchildren ride skates, they ride bicycles, etc. They do have to have, as far as their parents are concerned, elbow guards, knee guards. If we do this, all of a sudden you're going to have parents coming in like every other bill that we have. This should be amended to include. So it will start including all these other things.

"That's one of the things that bothers me -- government starts making a bill and taking over the responsibility of what the family should be doing and should be concerned in. So, I do have those reservations and I do thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 690 was adopted and S.B. No. 1430, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 635, S.D. 1:

On motion by Senator Nakata, seconded by Senator Chumbley and carried, S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 692 (S.B. No. 779, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 692 be adopted and S.B. No. 779, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 692 was adopted and S.B. No. 779, S.D. 2, 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.

Stand. Com. Rep. No. 698 (S.B. No. 931, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 698 be adopted and S.B. No. 931, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure as follows:

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

"Last year I opposed the wiretap bill. I think this is a better bill this time but I would still caution members and colleagues that this is an awfully broad brush bill. It allows for a great deal of surveillance. We're worried about or seem to be worried about privacy, and yet we have given over a great deal to the federal authorities here, so I think a cautionary note is in order."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 698 was adopted and S.B. No. 931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 701 (S.B. No. 1256, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 701 be adopted and S.B. No. 1256, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"I think we're all very sensitive and sympathetic to the problems of Maui County and employees, but we have been there and done that. We have spent a great deal of money on these ferry experiments and the simple fact is that the private sector will not do it because they cannot make money and cannot justify it. And the only time we do this is when we get federal or state subsidies and when the subsidies run out the service runs out as well.

"We really have to look for a coordinated transportation system and better employment and a better business climate for our state. I think that really is the answer rather than trying to subsidize pilot projects for spot interisland ferries.

"Thank you."

Senator Kawamoto, rising in support of the measure, then stated:

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

"Mr. President, this bill provides the opportunity to get federal funding, as the previous speaker has said, up to about \$4 million. This is really a kind of revenue enhancement bill. We spend about \$400,000 and we get \$4 million. It provides us the

capability of giving Molokai unemployment concerns a better chance.

"Thank you."

Senator Buen rose in support of the measure and said:

"Mr. President, I rise to support this bill.

"The ferry provides a vital employment between the islands of Molokai and Maui. The shutdown of the ferry on October 1, 1996 literally cut Molokai residents off from an opportunity to be self-sufficient and contributing members of the community. In the past four years, the economy of this island has continued to decline and many people relied upon the ferry to reach jobs on Maui's westside. Without the ferry, they have been forced to give up their jobs and their independent way of life.

"I ask my colleagues to please support this bill. We're looking at monies from the Federal Transit Administration funding from the federal government in the amount of \$4 million. And I just spoke with the people from the Department of Transportation and I think they've got more funding.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 701 was adopted and S.B. No. 1256, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 705 (S.B. No. 1496, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 705 be adopted and S.B. No. 1496, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in support of the bill with reservations:

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

"I have a number of questions about this bill. There was a similar bill that was introduced last year for a company called Pacific Controls Inc. to develop a plasma waste conversion facility. And then this year, the bill, although it still used last year's company, is now going to help a company or an operation called Heed, Inc. A check of the Bureau of Registration records reveal that there was no company called Heed, Inc. until the company filed papers and documents for registration on February 24 of this year. So I have difficulties with it although I do support the idea of the facility and the economic stimulation for Molokai.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 705 was adopted and S.B. No. 1496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MEDICAL WASTE FACILITY PROJECT DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 365, S.D. 1:

Senator Kanno moved that S.B. No. 365, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak with reservations on the measure as follows:

"Mr. President, I will support the bill with reservations.

"As the discussion took place in the committee, there were a number of problems with the definitions and the usage of laser pointers and how this is actually going to be enforced. So I support the intent of the bill, particularly the sections on harassment, but I do have reservations. Thank you."

The motion was put by the Chair and carried, S.B. No. 365, 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.

Stand. Com. Rep. No. 712 (S.B. No. 822, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 712 be adopted and S.B. No. 822, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Sakamoto, rising to speak in support with reservations, then said:

"Mr. President, I rise in support with reservations.

"I have two major concerns. First, HMSA says this bill will cost Hawaii employers an additional \$21 million. They also presented a proposal that would provide these services at no additional cost. The proposal is reasonable and should be considered.

"My second concern regards the religious organizations that opposed this measure. They have all reviewed the S.D. 2, and while the amendment allows churches whose charities receive no public funds to opt out, it will not allow Catholic Charities, Parochial Schools, or Brigham Young University this same right. Along with Hawaii Family Forum, they all believe the religious exemption is too narrow.

"Both of these concerns are major and should be addressed.

"Thank you."

At this time, Senators Chun, Bunda, Matsuura, D. Ige, Iwase, Sakamoto and Buen requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 712 was adopted and S.B. No. 822, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 1:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:57 o'clock p.m.

S.B. No. 1234, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 1234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Anderson, Bunda, Chun Oakland, M. Ige, Iwase, Slom).

Stand. Com. Rep. No. 714 (S.B. No. 1371, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 714 was adopted and S.B. No. 1371, S.D. 2, 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, 19. Noes, none. Excused, 6 (Anderson, Bunda, Chun Oakland, M. Ige, Iwase, Slom).

Stand. Com. Rep. No. 719 (S.B. No. 744, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 719 was adopted and S.B. No. 744, 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, 19. Noes, none. Excused, 6 (Anderson, Bunda, Chun Oakland, M. Ige, Iwase, Slom).

S.B. No. 59, S.D. 1:

Senator Tam moved that S.B. No. 59, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Sakamoto rose to speak with reservations on the measure as follows:

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

"My concerns with this measure are the same as those stated for S.B. No. 1005 regarding prompt payment.

"Additionally, this measure limits the general contractor's retention to 5 percent of the contract. This would be fine if the subcontractors, like the general contractors, were all required to be bonded.

"However, most subs are not bonded and this measure increases the financial risks to generals. Retention was established as a fair and equitable means to minimize these risks without requiring the subcontractors to be bonded. It also provides the necessary leverage that when we need the subs to come back to correct or complete a job, that will be done. So, if this bill were to go forward, will the Legislature guarantee that if payments are made without retention, then any performance problem encountered by the general will be born by this legislature?

"The 10 percent standard in the industry has been there for many years, and even then, generals are many times forced to pay out of pocket to complete the job.

"Thank you, Mr. President."

Senator Tam rose in support of the measure and said:

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

"Mr. President and fellow colleagues, my remarks are the same like I previously stated. I'd like to add, also, that there's nothing in this bill that does not allow the subcontractor from being bonded. So, if the general contractors want to require the subcontractors to be bonded, it can be done. And also, the State only withholds 2 percent, not 5 percent.

"Thank you."

Senator Buen rose to speak in support of the measure and stated:

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

"The present law does not have any teeth to it and there's no enforcement procedures. While the comptroller develops the rules and regulations, Chapter 91 does apply. And if there is a dispute between the general and the sub, then this bill would not apply.

"Thank you."

Senator Chun, rising to speak with reservations, then said:

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

"I agree with the statements made by the Honorable Senator from the Sixteenth District. I agree that there are many ways to handle this issue and that we need to have continuing discussions on what to do with that. But I rise in support of the bill with reservations.

"Thank you."

At this time, Senators Slom, Hanabusa, Iwase and Matsuura requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 59, 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, 24. Noes, none. Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 727 (S.B. No. 612):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 727 was adopted and S.B. No. 612, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 728 (S.B. No. 798, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 728 was adopted and S.B. No. 798, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 729 (S.B. No. 816, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 729 was adopted and S.B. No. 816, 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 (Taniguchi).

Stand. Com. Rep. No. 731 (S.B. No. 1061, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 731 was adopted and S.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 733 (S.B. No. 1127, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 733 was adopted and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 740 (S.B. No. 1518):

Senator Fukunaga moved that Stand. Com. Rep. No. 740 be adopted and S.B. No. 1518, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President and fellow colleagues, I stand to speak in favor of S.B. No. 1518, which is entitled: Relating to Government Operations.

"I have here a diagram displaying the essence of this bill. (Senator Tam's diagram is identified as ATTACHMENT "A" to the Journal of this day.) Sometimes displaying diagrams is a lot easier than by words. Let me display this in terms of what's entitled here. In the whole essence of government operations this year was government productivity and efficiency for the twenty-first century.

"The Government Operations and Housing Committee is at the forefront in fulfilling the Senate's number one goal -- improving Hawaii's economy -- by first structuring government in an orderly manner. Specifically, the committee will legislate overall state directional plans for state departments and agencies to implement. As the old saying goes -- organize one's own house before re-organizing another's house. Hawaii's citizens want us to do so.

"This bill promises to be the cornerstone of government efficiency and productivity where all state departments and agencies shall develop short and long term goals, objectives and policies specifically setting forth how each goal can and will be accomplished, and action plans with a timetable for implementing objectives and policies in one, two, and five year plans. Thus, we, the Legislature, will be able to develop future functional public service state budgets. Hawaii's taxpayers will truly be able to measure the accountability of government services.

"State government is at a crossroads. Goals and objectives will embrace the talents of employees, whereby employees morale will be positive and enthusiastic. Thus, resulting in increased productivity and efficiency. I think this is very important. If I may, many of you know that my background is in personnel, and once you have high morale, then you have more productivity and efficiency.

"Senate bill 1518 is the umbrella to other Senate legislative bills to be voted upon today. The components of the umbrella are:

1. Budget (Accountability)

- a. S.B. No. 450, S.D. 1, Relating to State Government. This bill transforms the State's accounting system and budgeting system to a performance-based budgeting system.
- b. S.B. No. 1466, S.D. 1, Relating to State Risk Management. This bill allocates the cost of self insurance in an effort to place responsibility on each agency and in this manner, inspire them to be more conscious of insurance settlement costs.

- c. S.B. No. 4, S.D. 1, Relating to Government Administration. This bill calls for a statewide audit with oversight by the state auditor. The auditor evaluates the efficiencies of government in its operations and spending.

2. Structure and Process (Redesign Government)

- a. S.B. No. 105, S.D. 1, Relating to Reform of State Government. This bill specifically is the creation of a joint legislative task force to solicit input on and study the branch of state government, and make recommendations to the governor on restructuring state government and reducing government bureaucracy, consolidating agencies, and streamlining procedures for the efficient functioning of state government.

3. Employee Resources (Career Enhancement)

- a. S.B. No. 1518, Relating to Government Operations. This bill mandates state departments and agencies to develop goals and objectives.
- b. S.B. No. 105, S.D. 1, Relating to Reform of State Government. More specifically, it communicates with employees on their comments on morale, productivity, and efficiency. Quite often, in government or the private sector, we talk amongst ourselves in upper management but we never talk to the employees. The employees are a source of ideas and knowledge.

4. Public Accessibility (Public Response)

- *a. S.B. No. 450, S.D. 1, Relating to State Government. More specifically, it mandates government agencies to develop government service handbooks for the public. You'd be amazed in terms of how many times the public doesn't know what kinds of services that we provide for them. A simple booklet can be given to the public, whereby many of these problems of frustration can be avoided. It's only common sense.
- b. S.B. No. 646, S.D. 1, Relating to Government. This bill specifically reduces the cost of copying government records from fifty cents per page to not less than six cents per page. We in government should not be willing to make money off of people. We are supposed to provide a service. We are not profit oriented. In the past, unfortunately, we have done wrong.
- c. S.B. No. 797, S.D. 2, Relating to Public Procurement. This bill requires the chief procurement officer to electronically post the name of each contractor awarded a contract for goods, services or construction under the procurement code; the amount and type of contract; and the goods, services, or construction procured under the contract. This information is public information and it should be provided to the public, not hidden for special interest.

"Mr. President and fellow colleagues, on behalf of the members of the Government Operations and Housing Committee and myself, I thank you for being supportive in creating the Senate's legislation of 'Government Productivity & Efficiency For The 21st Century.' May I also personally thank my members of the committee for their productive involvement and accomplishments.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 740 was adopted and S.B. No. 1518, entitled: "A

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

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

Stand. Com. Rep. No. 741 (S.B. No. 1556, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 741 be adopted and S.B. No. 1556, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose to speak in support of the measure and stated:

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

"Mr. President, this bill provides the Hawaii state contractors and subcontractors a general excise tax exemption on federal or military contracts. I'd like to add that this was part of the military construction project package and this is really a revenue enhancement bill if you look at it very closely. We may not receive the GET tax, but we'll see more of the income tax coming to the State from state contractors and subcontractors.

"So, I urge all my colleagues to vote 'aye' on this bill. Thank you."

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I'd like to speak in support with reservations.

"I applaud the TIA chair's efforts to support the Hawaii construction industry and the workers of this State. And yes, he has spent considerable time and effort in trying to create consensus within the federal and state entities that award public contracts and to assure input from both the construction industry and trade unions.

"I support the intent of this measure, however, I have serious concerns about the definition of a 'state contractor' in this measure and in the preference bill, S.B. No. 1438. The definition requires that 100 percent of the employees be state residents and that 85 percent of the company ownership, directors, members of the board and officers also be Hawaii residents.

"I am afraid this definition will eliminate some of the companies and employees we specifically wish to help."

Senator Chumbley rose to speak with reservations on the measure as follows:

"Mr. President, I rise in support of the measure with reservations.

"Mr. President, I, too, want to applaud the efforts of the chairman of the committee for addressing this very, very important issue. But I am concerned that the percentage set forth for the owner and employee requirements are problematic and will result in unintended consequences. And for those reasons I do have reservations."

Senator D. Ige then said:

"I would just like to note my support with reservations also."

Senator Chun added:

"Support with reservations, Mr. President."

Senator Matsunaga then stated:

"Please record my 'aye' vote with reservations."

Senator Inouye rose and said:

"Mr. President, I support the bill with reservations. Thank you."

Senator Buen added:

"I support the bill with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 741 was adopted and S.B. No. 1556, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 746 (S.B. No. 538, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 746 was adopted and S.B. No. 538, 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, 23. Noes, 2 (Kanno, Taniguchi).

Stand. Com. Rep. No. 748 (S.B. No. 797, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 748 be adopted and S.B. No. 797, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose and said:

"With reservations. Thank you, Mr. President."

The Chair so ordered.

Senator Chun rose in support of the measure with reservations as follows:

"Mr. President, I stand in support of this measure with reservations.

"This bill would put a numerical limit on the number of non-bid contracts that a person or an organization is able to receive within a one-year period. I agree with the intent of the bill and that is to really take a serious look into non-bid contracts to see whether it's being awarded on a fair and equitable basis.

"Unfortunately, I have a little bit of concern about putting numerical limits or any kind of set objectives because where there is a will, there is a way. I favor that there are other ways that we can handle this situation, but I think the intent of the bill is good and the bill needs to proceed on for further discussion.

"Thank you."

Senator Slom, also rising to speak with reservations, then said:

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

"Although my reservations are of a different nature, my reservations are the fact that it is the Governor that can escape the provisions of the law by allowing for non-bid contracts. And I think that's been part of the problem that we've had all along.

"Thank you."

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

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

"In essence, this bill is all about eliminating favoritism to have a rotating system where every architect who is qualified to do a job for the State of Hawaii gets their turn to do a job.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 748 was adopted and S.B. No. 797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Iwase).

Stand. Com. Rep. No. 751 (S.B. No. 1163, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 751 be adopted and S.B. No. 1163, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure as follows:

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

"We keep hearing about the problem of over-crowding in our prisons and yet we see people that have been released that continue to do damage in our community. The bill allows for more pre-release but I don't think that it tightens up the requirements and responsibilities of the Director of Public Safety.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 751 was adopted and S.B. No. 1163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 753 (S.B. No. 1284, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 753 be adopted and S.B. No. 1284, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson, rising to speak with reservations, then said:

"Mr. President, I have reservations on this.

"Primarily, I believe that if we were to give the figures that we had in WAM, which I understand were appropriate figures -- they were right -- maybe then, instead of the way the bill now reads, it would help us to move forward and really help the economy, rather than say that at this particular time we can't support this; we have to go at less dollars than we should. We owe this money and we should go ahead and pay it.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 753 was adopted and S.B. No. 1284, S.D. 2, 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. 754 (S.B. No. 1314, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 754 be adopted and S.B. No. 1314, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 754 was adopted and S.B. No. 1314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 755 (S.B. No. 1470):

Senator Fukunaga moved that Stand. Com. Rep. No. 755 be adopted and S.B. No. 1470, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I'm opposing the bill because the bill will raise salaries and compensation in a broad spectrum of executive positions in this state government. And I think that at this time when we're supposed to be watching the budget, watching expenses, cutting down, when we see what's happening in the private sector, we cannot justify these raises, especially across the board and without regard to individual productivity and responsibility.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 755 was adopted and S.B. No. 1470, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 759 (S.B. No. 738, S.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, Stand. Com. Rep. No. 759 was adopted and S.B. No. 738, 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.

S.B. No. 1032, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, S.B. No. 1032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1034, S.D. 1:

Senator Chun Oakland moved that S.B. No. 1034, 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, again I rise in opposition to the bill.

"My opposition is consistent. It creates a special fund and so I'm opposed to that. Thank you."

The motion was put by the Chair and carried, S.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1229, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, S.B. No. 1229, 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.

Stand. Com. Rep. No. 764 (S.B. No. 450, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 764 be adopted and S.B. No. 450, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 764 was adopted and S.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 765 (S.B. No. 536, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 765 be adopted and S.B. No. 536, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise in opposition to this bill.

"I'm all in favor of computer technology and more computers and so forth. I think it is bad policy to finance the purchase of computers or any other technology with general obligation bonds. These are long term. They should be for CIP. Computers are short term. The technology changes almost daily and it's poor practice, poor fiscal responsibility to do that.

"Thank you."

Senator Iwase then said:

"Mr. President, W/R for the reason expressed by the previous speaker.

"Thank you."

Senator D. Ige, rising in support of the measure, then stated:

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

"Mr. President, this legislation is modeled after efforts in Massachusetts dealing with issuance of short-term bonds -- five and ten-year bonds -- for procurement of computer technology. Clearly, 20-year bonds may be questionable as to whether we want to use that, but other states have used five and ten-year bonds to accelerate deployment of information technology.

"Thank you."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'll be going 'no' also, because we were told that we could not use these bonds for other purposes that I thought was very pertinent for the state to move forward on.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 765 was adopted and S.B. No. 536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS," 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. 772 (S.B. No. 1136, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 772 be adopted and S.B. No. 1136, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 772 was adopted and S.B. No. 1136, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," 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. 1272, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 774 be adopted and S.B. No. 1272, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"The bill authorizes the Board of Education to determine the readiness standards for kindergarten and first grade attendance. We have been complaining about our educational system for so long now and yet what we have done is put the state more and more in control of standards and performance and they've not done a satisfactory job.

"We are separating out more and more the responsibility of parents, not only in helping to determine the readiness of their own children, but also in the governance and education of their children. So, I cannot support this bill.

"Thank you."

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

"Mr. President, I'll be going 'no' primarily because of what the Minority Floor Leader said. But also, I don't believe that it

should be up to the Board of Education. I haven't gone along with the Board for many years now. I thought we should have de-centralized them anyway, and put them into the districts.

"Thank you, Mr. President."

Senator Iwase then asked that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 774 was adopted and S.B. No. 1272, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, Chun Oakland, Matsuura, Slom).

Stand. Com. Rep. No. 777 (S.B. No. 571, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 777 was adopted and S.B. No. 571, S.D. 2, 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. 779 (S.B. No. 953, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 779 be adopted and S.B. No. 953, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen rose in opposition to the measure as follows:

"Mr. President, I rise to oppose this bill.

"Senate bill 953, S.D. 2, appears focused on developing environmental policies to mitigate the negative impacts of tourism. However, the language of Section 3 is broadly worded to encompass environmental policies of all areas including industry. In developing such policy, it is critical that costs and benefits be taken into account so that environmental protection is achieved without placing undue costs on Hawaii's business and industries. This point is not made clear in Section 3 of the bill.

"Thank you."

At this time, Senators Anderson, Chun, Iwase and Bunda requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 779 was adopted and S.B. No. 953, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 780 (S.B. No. 1082, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 780 be adopted and S.B. No. 1082, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition.

"Again, here is yet another special fund that's being created outside the general fund."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 780 was adopted and S.B. No. 1082, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 786 (S.B. No. 1438, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 786 be adopted and S.B. No. 1438, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose in support of the measure and said:

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

"Mr. President, this is a military construction bill. This is the TIA and the GOH and LRE flagship bill for military construction. In this bill we define state residents. In this bill we define state contractors, subcontractors. In this bill we provide the opportunity for state contractors to have a 15 percent preference.

"Mr. President, the public law calls for a state resident, which we had not defined in the past years, therefore the Senior Senator from this state has indicated to us that, that was one of our problems why we didn't get the military contracts. The 15 percent preference gives our local contractors or subcontractors the opportunity to bid for state public works jobs on a level playing field.

"I cite one example. Out in God's country in Waipahu we tried to get some sidewalks. Finally we got some, \$3 million worth. Who's building them -- a Mainland contractor because of the fact that he could beat our 7 percent preference bill at this time.

"Therefore, Mr. President, as a revenue enhancement bill, I urge all my colleagues to vote 'aye' on this bill. Thank you."

Senator Sakamoto, rising to speak in support with reservations, then said:

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

"I support the committee's intention to provide a preference for Hawaii contractors and I have the same concerns regarding the definition of a 'state contractor' that I spoke of previously -- requiring that 100 percent of the employees be state residents and that 85 percent of the company ownership, directors, members and officers be Hawaii residents -- will eliminate companies and employees that many of us think of as Hawaii companies.

"I am also concerned that this measure will have the opposite effect. Instead of increasing the preference for some Hawaii companies who do not meet the parameters of the above definition, they essentially will have no preference and will be forced to compete on par level with Mainland firms."

Senator Slom rose to speak against the measure and said:

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

"I have problems with the definition as has been indicated by the Senator from Moanalua. Also, I find it demeaning that we talk about having a 15 percent preference for local contractors, in effect, saying that local contractors can't compete. We certainly should have a figure that levels the playing field but it is not and cannot be justified as 15 percent.

"If you set a figure, you're going to really eliminate the opportunities for local contractors. You're going to eliminate a

lot of work actually being done. And if you had that kind of preference, you'd be doing a disservice to the taxpayers of this state because they would be assured of paying the highest price as possible, and to the families of the contractors because the cost of living would continue to go up and they would have to see that reflected in the cost of everything that they purchase.

"So, for these and other reasons, it's a bad measure and I oppose it. Thank you."

Senator Chun rose to speak with reservations on the measure as follows:

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

"Mr. President, I have the same concerns as have been spoken before. This bill, even though the intent is good, and I think I support it because of the intent, I believe the restrictions are way too narrow to help companies. In fact, I believe that if we really were to look at these restrictions, it would hurt a lot of companies that are from Hawaii. For example, what happens if a company is held by four brothers and sisters, one of whom now lives on the Mainland, but all the employees are 100 percent Hawaii residents? Because of that one narrow interpretation that 85 percent of the stock has to be owned by state residents, that company is out. If that company cannot compete and that company does not have any preference not only in this bill but in another tax bill, they will no longer be able to do business in Hawaii. What will be the impact of all 100 workers who are state residents?

"I think the preference needs to be there. The definition needs to be clarified to help local residents and I think we're open for further negotiations and discussions on this matter.

"Thank you."

Senator Tam rose to speak in support of the measure and stated:

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

"Mr. President and fellow colleagues, as this bill moves on, yes, changes will be made. There's nothing absolute in this legislative session. Nothing ever is as I have experienced in the past 16 years. But it's good for dialogue and we must keep this measure alive for three reasons: (1) It provides jobs for Hawaii's residents; (2) It keeps the revenues in Hawaii; (3) It stimulates the economy.

"Thank you."

Senator D. Ige then rose and said:

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

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 786 was adopted and S.B. No. 1438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 788 (S.B. No. 513, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 788 be adopted and S.B. No. 513, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

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

"Child care and the lack of child care is a real problem in Hawaii and we know that we have a high preponderance of those living in townhouses and condominiums. And there were attempts to try to make this bill friendly and usable for all people concerned, but the fact of the matter is, people that move into townhouses or condominiums, for the large part, most do so because they want a certain kind of living, a style of living, and they don't want to have certain kinds of activities. And they've been very clear about this.

"In addition to that, however, there was a great deal of discussion about the potential liability that could be caused by having child care facilities in these types of buildings. Secondly, the issue of ADA compliance if, in fact, a developmentally challenged child were taken into child care. And while a lot of people have said don't worry about it or it's going to be taken care of, I think it is a major concern for those people who live in townhouses and condominiums.

"There have been, as I mentioned, a number of attempts to make the bill a better bill. Right now the bill limits the use of child care facilities to the first four floors of a condominium structure, but that still does not mitigate the problems of noise, liability and other things that the residents are concerned about. And it is a fact that within the laws of these townhouses and condos, which everyone must abide by prior to purchasing and taking up residence, there are adequate procedures and provisions for changing or making exceptions in an individual case rather than a broad blanket approach. So I oppose the bill.

"Thank you."

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

"Mr. President, I rise in opposition to this bill.

"As was previously spoken, the provision tried to . . . I guess the makers or proponents attempted to make the bill better by limiting it to the first four floors.

"Mr. President, we opened session with regard to Solomon, and in the case for those of you who remember the story, it was about a baby. In that story, two people claim to want that baby, and it's either splitting the baby, which means nobody has a live baby, or one side gets the baby. Now in this case, I have compassion for children and certainly we need care facilities. But there are some issues where we cannot split. And I don't believe that the compromise that's in place will solve what we want.

"And I agree with the previous speaker in that people move into condos for certain reasons. And I believe that if a condo wants to adopt or allow for child care, I think provisions can be made in that regard, but we shouldn't as the state mandate homeowners to give up their rights. Some of them moved in for specific rights of privacy and quiet. And I think we need to do this in another way, providing child care in another way other than splitting the baby in this case.

"Thank you."

Senator Anderson then stated:

"Mr. President, they swayed me. I'm going 'no.'"

Senator Tam requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 788 was adopted and S.B. No. 513, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Sakamoto, Slom).

S.B. No. 845, S.D. 1:

Senator Kanno moved that S.B. No. 845, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 845, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 790 (S.B. No. 837, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 790 was adopted and S.B. No. 837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGED HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Bunda).

S.B. No. 1510, S.D. 1:

On motion by Senator Kanno, seconded by Senator Chumbley and carried, S.B. No. 1510, 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. 785, S.D. 1:

Senator Kanno moved that S.B. No. 785, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senators Hanabusa, Slom, Buen, M. Ige and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 785, 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. 798 (S.B. No. 4, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 798 be adopted and S.B. No. 4, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"The person, I think, in all of state government, probably in all of government in Hawaii, that has the most integrity and is respected the most is our Legislative Auditor. I don't understand now why we would require the auditor to contract with an independent auditing firm to conduct an annual audit. It seems redundant. It seems costly. And it seems like it's not going to do the job. Everybody is satisfied with the work that the Legislative Auditor does, except that we don't implement anything she says. So, I think until we start implementing and

start following this, we don't need a bill like this. So I'm voting 'no.'

"Thank you."

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 798 was adopted and S.B. No. 4, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 799 (S.B. No. 46, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 799 was adopted and S.B. No. 46, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 803 (S.B. No. 426, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 803 be adopted and S.B. No. 426, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"I don't really understand what we're doing here. We're going to establish a staff in Washington D.C. and we're going to have another part of the state agency trying to maximize our federal revenue share. The people that we're going to hire and pay for in Washington, D.C., I don't think that they're going to be roaming the streets or the banks of the Potomac. That means we're probably going to have to give them an office and give them a staff and give them computers and give them other kinds of things. We're already maximizing our federal dollars.

"To me, this looks like there may be some previous office holders or present office holders that are looking for new careers in Washington and I, for one, don't want to support them, Mr. President. I'm voting 'no.'"

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 803 was adopted and S.B. No. 426, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 804 (S.B. No. 686, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 804 be adopted and S.B. No. 686, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom opposed the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I know that at one point the amount went from \$1 to \$5 and people say, 'Gee, it's only \$3,' except that we've got \$3 for

highway beautification. We heard somebody from the City and County of Honolulu come in and say, 'Oh good, now they're going to hire 17 more people and use the funds for that.' We have other measures still alive in the House that seek an ad valorem increase. We have other measures that want to increase the fuel tax, want to increase the weight tax, want to add additional taxes. There's too many taxes and too many fees, and a fee is a tax, is a tax.

"I vote no."

Senator Chun rose in support of the measure and said:

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

"Mr. President, one of the big pushers for this bill came from my Island of Kauai in regards to the problem that they've been having with the disposal of junk vehicles that are located on government roads, both state and county. As everybody knows, that has been a very big problem with us because it costs us a lot more than any other county to remove those vehicles from public roadways.

"I commend the sponsor of this bill, the Honorable Senator from Waipahu, in trying to craft a very good compromise in terms of meeting the needs of my island and my constituents along with the needs of the other islands and the City and County of Honolulu. I believe that this is a good bill and a good beginning to see what we can do to make sure that all of our funds and fees are used in a very wise manner to make sure that the visual impact of driving on our roads is preserved.

"Thank you, Mr. President."

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

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

"Mr. President, your committee worked hard on this bill. We looked at it, the need, again, for the beautification of our islands for the residents and visitors alike. We understood about the increase in fees being a problem for the U-drive motor vehicles. We exempted them from this bill to avoid any taxes to the business.

"I urge my colleagues to vote 'aye' on this bill."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 804 was adopted and S.B. No. 686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 807 (S.B. No. 825, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 807 be adopted and S.B. No. 825, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 807 was adopted and S.B. No. 825, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING," 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. 860):

Senator Fukunaga moved that Stand. Com. Rep. No. 808 be adopted and S.B. No. 860, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Sakamoto and Slom requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 808 was adopted and S.B. No. 860, 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, 22. Noes, 3 (M. Ige, Iwase, Kawamoto).

Stand. Com. Rep. No. 809 (S.B. No. 866, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 809 and S.B. No. 866, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEMONSTRATION PROJECT FOR LONG-TERM CARE," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 810 (S.B. No. 887):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 810 was adopted and S.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT," 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. 959, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 811 be adopted and S.B. No. 959, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 811 was adopted and S.B. No. 959, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 812 (S.B. No. 1138, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 812 be adopted and S.B. No. 1138, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom, rising to speak in support of the measure with reservations, then said:

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

"I do support the bill and support the transfer, but I'm still concerned. Over the last couple of years, we've had testimony and we've had people from the public that questioned some of the things that were done as far as the administration and Hawaii Public Broadcasting and access to meetings and so forth, and I don't think that many of these problems have been adequately resolved. And so, more than just a transfer of assets and control, I think that we should continue to press for a resolution of these problems.

"Thank you."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 812 was adopted and S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 813 (S.B. No. 1129, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 813 be adopted and S.B. No. 1129, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam requested a conflict ruling as follows:

"I wish to declare a possible conflict of interest. I sell life insurance."

The Chair ruled that Senator Tam was not in conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 813 was adopted and S.B. No. 1129, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 814 (S.B. No. 1183, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 814 was adopted and S.B. No. 1183, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR 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. 815 (S.B. No. 1303, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 815 was adopted and S.B. No. 1303, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1325, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1325, 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.

Stand. Com. Rep. No. 817 (S.B. No. 1345, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 817 be adopted and S.B. No. 1345, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase requested a ruling on a conflict of interest as follows:

"Mr. President, just a ruling on a conflict. My sister-in-law is a judge."

The Chair ruled:

"No conflict. You may vote."

Senator Slom rose to speak in support with reservations on the measure as follows:

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

"I opposed the salary increase for the past two years for judges. I support the salary increase this year with the understanding that, first and foremost, the state is going to adhere to its obligations to contracts for public workers already negotiated to, but not funded. And number two, I do find the 18 percent retroactive increase very difficult, plus the additions in the future. But we've been assured by the Chief Justice and others that with more money we'll get better judicial results, and after the past week, I'm certainly looking forward to that, Mr. President.

"Thank you."

Senator Anderson rose in support of the measure and said:

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

"As you well know, for a number of years now I've been opposed to any salary increase for judges. So this year I started talking to some attorneys and judges, etc., and they reminded me that most of my arguments when I talk about collective bargaining and I didn't want to see increases across the board, etc., they reminded me that they do not have a union. They reminded me that they cannot go ahead and strike. They do not have a constituency. They also told me that if you say you don't want to give us a salary raise, does that mean if you folks agree with us when we come out with an opinion in court, then you'd give us the salary increase? If we disagree, then we don't get the salary increase.

"And after listening, I'm relatively stubborn but he made good sense and the different people that I talked to. I told him that I'd certainly look at it, so I'm afraid I'm going to have to eat some of my words. So I will be supporting the pay raises. I may not be in full support of 18 percent, but I do believe that they should get a pay raise and I believe that maybe then we will move forward to help the economic change around in this community which we're not looking at.

"Thank you so very much, Mr. President."

Senator Tam rose to speak with reservations on the measure as follows:

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

"Mr. President and fellow colleagues, it's been my stand to always take care of the line people rather than think of ourselves, as management. I'm quite concerned, in terms of two years ago or so when the Chief Justice came before us and he said that he would be willing to fire people, some of his clerks, in order to receive a raise. I truly believe that our line people work harder than us and we need to respect them.

"Thank you."

Senator Chumbley rose in support of the measure and said:

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

"Mr. President, as this measure came out of the Judiciary Committee and then moved on to the Ways and Means Committee, we did adopt some of the recommendations of the

Judicial Salary Review Commission by including a 9 percent wage increase in the first fiscal year of the biennium and a 9 percent increase in the second year. There is no retroactivity application which was part of the Judicial Salary Review Commission which came out of the Judiciary Committee. And in fact, when this bill went to the Ways and Means Committee, the dollar values and the percentages had been zeroed out. So, at this point, just for clarification, there is no set 18 percent increase in this.

"And, Mr. President, I think the most important thing here is that we need to attract judges that are the most competent, the brightest, and we need to pay our judges a fair salary. So with that, I ask all my colleagues to support this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 817 was adopted and S.B. No. 1345, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kanno).

Stand. Com. Rep. No. 818 (S.B. No. 1452):

Senator Fukunaga moved that Stand. Com. Rep. No. 818 be adopted and S.B. No. 1452, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 818 was adopted and S.B. No. 1452, 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. 820 (S.B. No. 1583, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 820 was adopted and S.B. No. 1583, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

At 2:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:05 o'clock p.m.

Stand. Com. Rep. No. 821 (S.B. No. 1635, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 821 be adopted and S.B. No. 1635, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose and said:

"Mr. President, I was rising to speak against this bill . . . it's a Republican bill. Excuse me." (Laughter.)

The motion was put by the Chair and carried, Stand. Com. Rep. No. 821 was adopted and S.B. No. 1635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (M. Ige, Matsuura).

Stand. Com. Rep. No. 822 (S.B. No. 1639, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 822 was adopted and S.B. No. 1639, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Buen, Chumbley, Tanaka). Excused, 1 (Matsuura).

S.B. No. 590, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsuura and carried, S.B. No. 590, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 591, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsuura and carried, S.B. No. 591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AND VISITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 592, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsuura and carried, S.B. No. 592, 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, 24. Noes, none. Excused, 1 (Matsuura).

S.B. No. 594, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsuura and carried, S.B. No. 594, 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, 24. Noes, none. Excused, 1 (Matsuura).

S.B. No. 599, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsuura and carried, S.B. No. 599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 829 (S.B. No. 176):

Senator Chumbley moved that Stand. Com. Rep. No. 829 be adopted and S.B. No. 176, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Chumbley, rising in support, then said:

"Mr. President, I rise in support of this measure and have some written comments I'd like to have inserted into the Journal."

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

"Mr. President and honorable colleagues, I rise to speak in favor of S.B. No. 176 -- Relating to Child Abuse. This measure creates two new criminal felony offenses -- child abuse in the first and second degrees -- in order to address the rising number of reported child abuse cases. This measure provides tougher penalties of up to 20 years imprisonment for those individuals convicted of felony child abuse.

"Over the years, living in Hawaii has become synonymous with 'living in paradise.' However, in recent months, grisly facts of our children being maimed and murdered by those closest to them have shattered this image. Our community has been deeply shaken by a rash of child abuse incidents, resulting in the severe physical trauma and even deaths of some of our youngsters.

"An act of child abuse is already a crime under current law, but the system provides far too many obstacles to overcome to get a conviction. The law provides that unless a child-abuse case warrants a charge of attempted murder, the State may seek only an assault conviction. Assault convictions carry a maximum prison term of only five to ten years, depending on the severity of the case.

"Under this measure, S.B. No. 176, a person would be convicted of child abuse in the first degree if the person 'intentionally, knowingly, or recklessly' causes serious bodily injury to a child 12 or younger. A charge of child abuse in the second degree would result if the person 'intentionally, knowingly, or recklessly' causes substantial bodily injury to a child 12 or younger. (FYI -- Child Abuse in the First Degree = Class A felony; Child Abuse in the Second Degree = Class B felony.)

"Often times, it is difficult for the State to prove 'intentional or knowing' conduct in child abuse cases because jurors have a hard time believing that any parent could intentionally or knowingly cause harm to a loved one, especially a child. By including the 'reckless' state of mind, we hope that the State will be able to obtain more convictions, once it can show that a reasonable person should have known that the actions could cause serious injury.

"Mr. President and honorable colleagues, in these troubling times, we -- the Legislature -- must take a firm stance against child abuse and re-affirm our commitment to protecting our children."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 829 was adopted and S.B. No. 176, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 606, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS WEAPONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 607, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 607, 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, 24. Noes, none. Excused, 1 (Matsuura).

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

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

Stand. Com. Rep. No. 833 (S.B. No. 851, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 833 was adopted and S.B. No. 851, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 896, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 919, S.D. 1:

Senator Chumbley moved that S.B. No. 919, 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.

"Mr. President, former Philadelphia Mayor Frank Rizzo once stated that 'The streets are safe in Philadelphia. It's only the people that make them unsafe.'

"Mr. President, I think we here are all concerned about keeping our streets safe, and I know some people may question why a dangerous animal should be likened to a gun or a knife. I'd like to give you and my colleagues at least four reasons why an animal is like a gun.

- (1) Both suffer from accidental discharges;
- (2) Dogs tend to bank fleas and those with guns tend to flee from banks (okay, they get better; they get better (laughter));
- (3) A dog is man's best friend, and at John Gotti's friend's wedding, the gun was the friend's best man; and finally, Mr. President, the fourth and final reason,
- (4) A heated gun indicates that it has been fired, and a dog in heat indicates that it's about to be fired. (More laughter.)

"Thank you, Mr. President."

Senator Slom then remarked:

"Mr. President, please note that the preceding commentary did not include anything about felines." (Laughter.)

Senator Chun rose to speak in support of the measure and stated:

"Based on those comments, I have no choice but to vote in favor of that bill."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 919, 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, 24. Noes, none. Excused, 1 (Matsuura).

Stand. Com. Rep. No. 840 (S.B. No. 1050, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 840 be adopted and S.B. No. 1050, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto, rising to speak in support with reservations, then said:

"Mr. President, I rise in support with reservations.

"I think some of the recent cases related to reuniting children with their families are very important, but this bill kind of, in some areas, hastens to take children away from their family. And for those reasons, I have reservations."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 840 was adopted and S.B. No. 1050, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 845 (S.B. No. 36, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 845 be adopted and S.B. No. 36, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 845 was adopted and S.B. No. 36, 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 (Matsuura).

Stand. Com. Rep. No. 849 (S.B. No. 236, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 849 be adopted and S.B. No. 236, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak with reservations on the measure as follows:

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

"We're trying to make a number of the provisions for awarding prizes unfair and deceptive. Mr. President, conflict potential -- I have my McDonald's card here and right now they're giving away a house. And I don't think that we should ban out of hand the possibility of giving away prizes, including real estate. The whole idea is fraud and deception and that's

where the emphasis should be, rather than telling private entities what they can and cannot give away.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 849 was adopted and S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 628, S.D. 1:

Senator Chumbley moved that S.B. No. 628, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 628, 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, 24. Noes, none. Excused, 1 (Matsuura).

Stand. Com. Rep. No. 855 (S.B. No. 777, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 855 was adopted and S.B. No. 777, S.D. 2, 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, 24. Noes, none. Excused, 1 (Matsuura).

S.B. No. 914:

Senator Chumbley moved that S.B. No. 914, 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 the bill.

"I'm sorry, Mr. President, this is a dumb bill based on a dumb Supreme Court ruling. A blank ballot should be a blank ballot. An over-voted ballot should again be a blank ballot. It should not be counted. And particularly when we're talking about the constitutional convention, we have denied the people the right to hold and have a constitutional convention. We have not looked at this state government, not made material changes since 1978.

"We are the only state in the Union that does not have the benefit of one of the following: initiative, referendum, recall at a statewide level, or term limits. The public has asked for many of these things. We've introduced bills that call for unicameral legislature and re-examining and re-inventing government, and without con-con we don't have the chance of doing that because we're reluctant to change here in the Legislature.

"So, to count blank ballots as 'noes' and to count over-voted ballots as 'noes' is a disservice to the public and to the voters.

"Thank you."

Senator Sakamoto rose in opposition to the measure as follows:

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

"So, as with the previous speaker, yes, to allow a blank vote to be counted is ridiculous! A blank vote is a blank vote! How can we count a blank vote, a vote, when it is blank? (Much laughter.) Thank you for your patience, Mr. President.

"Is it constitutionally right to tell the voters that if they don't vote, it is a 'no' vote? By the same rationale, how can spoiled or invalid ballots be counted as votes, when in fact those votes are invalid? The Supreme Court apparently ruled to let the blank votes be counted, based on a discussion of several convention delegates 20 years ago.

"Today, we can either say that, that blank vote counts based on that discussion by several people back then, expounding on this issue, or we can say no -- a blank vote is neither a 'yes' vote or a 'no' vote and should not count."

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

"Mr. President, being that the prior two speakers were very shy about how they felt, I'm going to be voting 'no.' The reason being, when I go to vote and my wife is with me or one of my children, if they're not sure how they really want to vote on a particular issue, they say 'I'm not sure about this, I'll leave it blank and leave it to the others.' I think that's fair. It means they don't want it counted. In my humble opinion, I think that's fair.

"I don't know why the courts would say a blank vote should be counted or an over-vote should be counted. And I agree with the two previous speakers, but I don't know if I would express myself like they did. I know they're shy, but I don't think I would have done that. (Laughter.)

"Thank you very much, Mr. President."

Senator Chumbley, rising in support of the measure, then stated:

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

"Mr. President and colleagues, this is a smart bill as a result of a smart decision by the Supreme Court. I think that some of my colleagues are missing the point.

"If you recall, when you went to the ballot box this year you were told to mark your spot. If you don't mark your spot, that's clearly a blank vote. This is an issue of ballots cast, not votes cast. When you went into the ballot booth, you got a ballot. You had an obligation to vote 'yes' or 'no.' If you didn't mark your spot, that's a blank vote, you cast your vote when you took that ballot, Mr. President.

"In 1968, during Con-Con, this issue was debated. In 1978, during Con-Con, it was again debated. And all of the law and the legislative history show that it was the intention of our predecessors who were involved in Con-Con to use ballots cast, not votes cast. They chose that if there was going to be a Constitutional Convention, it was so important that everyone had an obligation to vote based on the ballot cast, not just simply on marking your spot.

"So, with that said, Mr. President, I urge all my colleagues to mark your spot."

Senator Anderson rose in rebuttal and said:

"A short rebuttal, if I may.

"Number one, I don't think the previous speaker is correct. I don't believe we did that in the 1968 Convention or '78 Con-Con. But also, I don't believe that anybody should mandate someone. That's why they call it 'freedom of choice.' You don't mandate somebody and say, 'You have to go ahead and walk in and vote for this and you have to mark a spot.' That's why I hate bills that say you shall do something.

"It's very, very hard to tell people you have to vote a certain way. It's bad enough that we tell them you have to go ahead and do this. Pretty soon we'll be saying, 'You have to get up at seven o'clock in the morning.'

"It's a shame that government is beginning to take over our lives. I know that we laugh and have a good time, but it's a shame that a lot of people really believe in this -- government has that right to tell us what to do. And there's more people that will tell you they don't want to do certain things when they vote in the ballot box. They may want to disregard the whole thing when they go in -- I think this is a bunch and throw it down. Why should it be counted if they don't want to vote?"

"Thank you very much, Mr. President."

Senator Matsunaga rose to speak in support of the measure and stated:

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

"As the League of Women Voters of Hawaii so eloquently testified at our hearing, that something as important as the Constitutional Convention, with its potential for decisions of such far-reaching consequences, should not be convened without the solid support of the State's citizens.

"The vote requirement for the passage of a constitutional amendment is twofold: (1) that the affirmative votes be more than the negative votes, and (2) that the affirmative votes be at least 50 percent of all the ballots cast in the election. This assures that no amendment is adopted by a minority of the voters due to the failure of many of the voters to cast votes on the amendment.

"Mr. President, we believe and the Supreme Court agrees with us that the vote requirement for the convening of a Constitutional Convention should meet the same standards as that for the ratification of amendments to the Constitution.

"I urge all my colleagues to vote 'aye.'"

Senator Sakamoto then said:

"Mr. President, a little rebuttal to those remarks.

"So I respect the co-chairs of the Committee and their remarks. I think the citizens of our State, many of them have become disenfranchised, disillusioned with our process due to the legalism and things that don't make sense.

"And I understand there may have been a '68 and '78 discussion on the issue, but today the people out there are concerned about vote counts and their vote, counting. And I believe invalid ballots and people choosing not to vote, they would express that they had not voted and they did not intend that to be a 'no' or a 'yes' vote. So I believe we should change and really get the people back, involved with the process and let people choose to leave a spot unmarked and let that not be cast in either direction."

Senator Slom also rose in rebuttal and said:

"Mr. President, just another brief rebuttal.

"Utilizing the League of Women Voters -- while it is a fine organization and does many fine things on occasion, it has a membership of about 2,000, statewide. It has been wrong on a

number of occasions, particularly as it pertains to the Constitutional Convention. It was very wrong in the wild and inaccurate figures that were released in terms of the cost of the last Constitutional Convention of 1978 and the estimated cost of a convention in 1998 or presently. It also fought as an organization to deny the voters of the City and County of Honolulu the right to vote on charter amendments.

"So, for these reasons, I think we certainly could consider what they have to say, but I would rather consider, as the previous speaker mentioned, the call from the public to have more participation and more choices. And by enacting a bill like this, what we're doing is restricting their choices and restricting their voices.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 914, entitled: "A BILL FOR AN ACT RELATING TO VOTE COUNT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, Chun, Kawamoto, Sakamoto, Slom). Excused, 1 (Matsuura).

Stand. Com. Rep. No. 868 (S.B. No. 1320, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 868 be adopted and S.B. No. 1320, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak with reservations on the measure as follows:

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

"This is a much better bill than S.B. No. 1313, which was an abominable bill that just granted immunity to the State for any errors related to the Y2K problems for, I believe, the original term is eleven and a half years. And this bill would grant immunity to December 31, 2003 to any entities that use commercially reasonable efforts at trying to solve the Y2K problems.

"We don't know at this point whether we are over-stating or under-stating what the problems of Y2K will be. We do know that we hear conflicting reports from our state government that they are 50 percent, 70 percent, 80 percent in compliance and have all their equipment. But at some point, people have to take responsibility for what they do, and I certainly can understand a limitation for a one-year period or a two-year period, but even with this bill now, we're still talking about a four-year period of limitation and a broad based and vague description of what measures have to be taken.

"So I will support the bill, but with reservations."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 868 was adopted and S.B. No. 1320, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1462, S.D. 1:

Senator Chumbley moved that S.B. No. 1462, 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 this bill.

"The recount that we're having right now, I think is a function of the Office of Elections. The rump evaluation of the Director of the Office of Elections who has been involved with elections in this State for 18 years but still has not promulgated any rules to allow the citizens of this State their rights under the law to examine ballots, the stonewalling efforts by his department, and the lack of oversight and responsibility by this office leaves us no better than where we were before when the process of elections was under the Lt. Governor's Office and people were concerned because the Lt. Governor, as we all know, always runs and is elected Governor in the State of Hawaii. At least there is oversight in that office. At least there is responsibility in that office. At least we can go up to the fifth floor and visit that office, and there's never been, to my knowledge, any stonewalling in trying to deny the people their rights.

"So, I don't know whether it's a better system or not, but I'm not happy with this system we have, and I'm not happy with the evaluation process, so called, of the appointment panel. So I'm voting 'no' on the bill.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1462, 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 (Slom). Excused, 1 (Matsuura).

Stand. Com. Rep. No. 877 (S.B. No. 1160, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 877 was adopted and S.B. No. 1160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 884 (S.B. No. 709, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 884 was adopted and S.B. No. 709, S.D. 1, 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 (Matsuura).

Stand. Com. Rep. No. 889 (S.B. No. 1086):

Senator Chumbley moved that Stand. Com. Rep. No. 889 be adopted and S.B. No. 1086, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 889 was adopted and S.B. No. 1086, entitled: "A BILL FOR AN ACT RELATING TO BOATING PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1469:

Senator Chumbley moved that S.B. No. 1469, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Iwase rose in opposition to the measure as follows:

"Mr. President, I'm rising to speak in opposition to the bill.

"Mr. President, the other day on television I saw our co-chair, the Senator from East Maui, name, actually, a new non-alcoholic drink. He referred to this bill as the 'crim-de-crim' because what this bill does would be to criminalize what we de-criminalized two years ago, which is traffic violations, and for the reason, supposedly, that we need money. We're going to raise money.

"In the process, I think we forgot why we de-criminalized these activities a few years ago, in fact just a couple of years ago. And there has not been articulated any reason why we should go back to where we were -- back to the future, so to speak.

"I also would like to point out -- and this is the committee report from the Judiciary and Ways and Means Committees -- testimony in opposition to the measure submitted by the Judiciary, the Public Defender, the Prosecuting Attorney of the City and County of Honolulu, the Prosecuting Attorney of the County of Maui, and the Honolulu Police Department. Everyone testified against the bill. There was no testimony in support of the bill.

"I just don't know why the bill is here, and I certainly hope that we are not going to re-crim-de-crim. (Laughter.) Well, we're going to do what were going to do in this bill, just to make money. So I'm going to vote 'no.'

"Thank you."

Senator Chun rose to speak in support of the measure and stated:

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

"Mr. President, the intent of this bill is noteworthy and that is to pursue wholeheartedly the unpaid fines and penalties that is due the general fund.

"I think what is an unintentional result of this bill, and that's why I must go with reservations on this bill, an unintended result of this bill is that it places the burden of collecting these unpaid fines, which go to the general fund, on to the counties. As it is right now, the Attorney General has the responsibility, which is paid by general funds, to collect those unpaid fines and penalties for the benefit of the State. This bill now would transfer that responsibility from the Attorney General and the state general fund to the counties, to their prosecutors.

"The county prosecutors, however, are caught in an interesting bind because now they're using county funds to collect state monies for the state general fund. And I think this is an unintended result in that we're using county personnel to collect state funds. And I think we need to look at that issue as this bill progresses.

"Thank you, Mr. President."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1469, entitled: "A BILL FOR AN ACT RELATING TO THE ADJUDICATION OF TRAFFIC INFRACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hanabusa, Iwase, Sakamoto, Slom, Tanaka). Excused, 1 (Matsuura).

S.B. No. 1485, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 616, S.D. 1:

Senator Chumbley moved that S.B. No. 616, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chumbley, rising in support of the measure, then stated:

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

"I just wanted to note for the members' attention that this bill did pass by committee report on second reading and unfortunately the attached committee report today has identified the Senate bill as 616 without the S.D. 1. So the measure that we are voting on today, Mr. President, is the S.D. 1, and I am in support of that measure."

The motion was put by the Chair and carried, S.B. No. 616, 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, 24. Noes, none. Excused, 1 (Matsuura).

S.B. No. 1119, S.D. 1:

Senator Chumbley moved that S.B. No. 1119, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chumbley then said:

"Mr. President, I have some written comments to insert on this measure."

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

"Mr. President and honorable colleagues, I rise to speak in support of S.B. No. 1119, S.D. 1 -- Relating to Homicide. This measure seeks to: (1) amend the offense of murder in the first degree by making any intentional or knowing killing, murder in the first degree; (2) change the offense of murder in the second degree from intentionally or knowingly causing the death of another to the reckless killing of another under circumstances manifesting extreme indifference to human life; and (3) provide that the defense of extreme mental or emotional disturbance will be an affirmative defense.

"Although murder occurs in Hawaii at less than half the national rate, it is the most serious criminal offense and warrants Hawaii's most severe sanction. Life without parole should be applied to those individuals who commit the ultimate heinous crime of taking the life of another person, regardless of the victim's status or occupation.

"During the hearing on this measure, we learned that once a murder defendant claims to have been under the influence of extreme mental and emotional distress, the State is required to prove beyond a reasonable doubt that the defendant does not suffer from such a disturbance to obtain a conviction. After considerable debate and much deliberation, we chose to adopt

the provision that makes the defense of extreme mental and emotional disturbance an affirmative defense, so that the defendant will have the burden of proving this at trial.

"On March 5, 1999, the Prosecutor of the City and County of Honolulu wrote an editorial criticizing the Legislature for its failure to adopt the recommendations of the law enforcement coalition on this issue.

"I agree with the Prosecutor (Peter Carlisle) that this issue has repeatedly come before the Legislature. However, I disagree with the Prosecutor's statement that there is 'renewed interest' in this issue only after the public's outcry with the court's decision in the Kimberly Pada case.

"What the Prosecutor fails to recognize is that by making the defense of extreme mental and emotional disturbance an affirmative defense, the Legislature goes against well-established legal principles. A defendant in a criminal case is 'innocent until proven guilty,' and this concept is the foundation of our criminal justice system. Making such a drastic change to the criminal justice system is not a step that the Legislature should take lightly or without careful consideration.

"What the Prosecutor also fails to recognize is that the Legislature was not created to serve only the law enforcement coalition. The Legislature was created to set public policy, standards by which our people and our communities can live in safety and without fear. We have the grave responsibility of considering all viewpoints -- those of the law enforcement coalition and the public defender's -- when enacting our laws. We have the responsibility of striking a balance between the rights of the victim, the rights of the defendant, and the needs of our community."

The motion was put by the Chair and carried, S.B. No. 1119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1120, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1151, S.D. 1:

Senator Chumbley moved that S.B. No. 1151, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun then inquired:

"Mr. President, may I ask a question of the committee co-chairs for Judiciary?"

The President replied: "Please proceed."

Senator Chun continued:

"Mr. President, I would like to inquire whether or not the intent of this bill is to cover private associations and organizations as the public accommodations subject to this law? For example, I am aware that there is a considerable amount of controversy on the Mainland regarding whether or not certain private organizations such as the Boy Scouts are public accommodations within this type of law. The federal circuit courts are split, Mr. President, and I wanted to know whether

the intent of this bill is now to put Hawaii on the side that organizations, as opposed to places, are covered by this type of public accommodations law."

At 3:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:36 o'clock p.m.

The Chair made the following observation:

"There was a question to the co-chair of the Judiciary Committee, Senator Chumbley."

Senator Chumbley responded:

"Mr. President and colleagues, having conferred with my co-chair and reviewing the testimony, it was the intention of the Judiciary Committee that these instances cover places, and not organizations. And we understand that, that is consistent with some of the case law that's being debated across the country right now.

"Thank you."

Senator Sakamoto rose to speak against the measure and said:

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

"My concerns center around the fact that this bill seeks to require society to recognize and approve homosexuality. Why should one's choice of bisexuality or homosexuality rise to the level of existing protected civil rights? Race, sex, color, religion -- should this bill pass?

"Senate Bill 1151 also protects religious beliefs, so which would take precedence? Sexual orientation or religious beliefs?

"On November 3, 1998, a majority of the people voted that traditional marriage should be kept as the community standard. This shows that the majority of the public strongly opposes the attempts to redefine the basic standards of our society. Seventy percent of the people asked that their values be maintained."

Senator Anderson rose to speak with reservations on the measure as follows:

"Mr. President, I'm rising with some reservations. I will vote for the bill.

"I brought it up in committee and I'd like to know why we have to add sexual orientation as a protected status for law prohibiting discrimination? It was my understanding when we wanted the con-con that we didn't want to do anything with that constitution. It was going to take away people's rights, their protection. It was a good constitution.

"All of a sudden the other day in committee, we had to pass this bill because the Constitution is so broad. It doesn't take care of everyone. I'm a little confused when one time, we, as a majority, can't have a con-con because we're going to be taking rights away from people, and then we have to turn around and have a bill because the Constitution is so bloody broad that it's not protecting everybody. That's why I had such a hard time with different groups including Hawaiians, including the same-sex marriage people, everybody that wanted protection, the environmentalists.

"If they were so afraid of the public, I told them, then run your own people. Make sure that you're going to be taken care of, your group in the Constitution. But they didn't want to do that. They gave out erroneous types of costs, \$15 million. When I took the book in, I showed them that in 1978 it was \$2.6 million, I think it was, and we returned \$600,000. It was a strong Constitution. Leave it alone.

"So for those reasons, I have reservations. I don't really think in my own mind that we need this bill. But that's going to be up to the other side now, and I would hope that it would reflect all of the reservations we have. It has nothing to do with individuals or groups or anything else. If they're so set that a constitution was needed to protect them, then we don't need this bill.

"Thank you very much, Mr. President."

Senator Iwase then inquired:

"Mr. President, if I may pose a question to one of the co-chairs of the Judiciary Committee to follow up on the question posed by the Senator from East Maui who answered the question of the Senator from South Kauai. You said that it was meant to apply to places and not . . . what did you say in response to the question?"

Senator Chumbley replied:

"Mr. President, not to organizations."

Senator Iwase continued:

"Okay. I'm looking at the Section, page 2, 'Discriminatory practices prohibition. Unfair discriminatory practices which deny, or attempt to deny, a person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation' Is there a definition of public accommodation in Chapter 489 that would be consistent with what you said?"

At 3:41 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.

Senator Iwase said:

"I would yield to the co-chair of the Judiciary Committee."

Senator Chumbley responded:

"Mr. President, in response to the inquiry from the colleague of mine, Chapter 489, Discrimination in Public Accommodations, Section 489-2 definitions does define place of public accommodations to mean 'a business accommodation, refreshment, entertainment, recreation or a transportation facility of any kind whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold or otherwise made available to the general public as customers, clients or visitors.'

"Mr. President, it is not the intention to extend this proposal to organizations such as the Girl Scouts or Boy Scouts. And it is our understanding and our belief that it would not apply to those organizations."

Senator Iwase then rose and said:

"The reason for my question was, having spoken to the Senator from South Kauai, there are cases on the Continental United States which have defined accommodations to require the discriminatory practice law to open up organizations like the Boy Scouts. And clearly, that is another issue to be debated, but certainly and whether or not one believes in that or not should be debated in a separate type of bill and it should not be slipped in under this kind of bill.

"I'm voting for it under the assumption that we're talking about things like housing and eating at a restaurant, and not whether or not you can join the Boy Scouts, Girl Scouts, Boys Club, Girls Club, Boys and Girls Club, and on, and baseball, football, and on and on. And I'm assuming that it doesn't apply

and will not apply to require or compel such organizations to fall under this law.

"Thank you."

Senator Chun, rising to speak with reservations, then said:

"Mr. President, I rise to speak on the bill with reservations.

"Mr. President, I have two concerns regarding this bill. The first was answered by the co-chairs of the Judiciary Committee. The second, though however, involves the fact that this bill would attempt to try to bypass or to second-guess what the decision of the Ninth Circuit Court of Appeals and the United States Supreme Court might be.

"The committee report clearly indicates that in a decision by Alaska, which has a very similar bill to what we have over here in Hawaii, a question came up in that court concerning the issue that the Senator from Moanalua and Salt Lake raised, and that is the conflict between a freedom of religion, freedom of expression and association versus another protected class. And in that situation, the Alaska Court clearly held that the state law requiring housing, even though it violated their own personal religious beliefs, was unconstitutional. That case is now on appeal before the Ninth Circuit and I've been told that even if the Ninth Circuit decides to uphold the Alaskan Court, that would be appealed to the Supreme Court.

"In light of the on-going dispute between weighing those two interests, those two constitutional interests, it might be a bit premature for us to adopt a law weighing on one side or the other, or it might be construed that we weigh on one side or the other. So on that concern, I think we should be very, very cautious when we enter into these kinds of law.

"Thank you, Mr. President."

Senator Matsunaga rose in support of the measure and said:

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

"Mr. President we've spoken about, perhaps, the unintended effects of this measure, but I'd like to keep this body's focus on why this law is needed. Currently, state law does not prohibit owners and operators of public accommodations such as restaurants, movie houses and public buses from denying services because of a person's sexual orientation. This means that individuals can be denied services or access to public accommodations for no other reason than that they are gay or a lesbian.

"Mr. President, there is no legitimate basis for discrimination in housing or public accommodations on the basis of sexual orientation. This bill would make it unlawful under state law for landlords, restaurants, movie theaters, buses, and other real estate providers to discriminate against persons because of their sexual orientation.

"Mr. President, all persons should be afforded an equal opportunity to obtain and enjoy entry and living accommodations without discriminatory harassment because of their sexual orientation. This change in Hawaii's law is long overdue.

"Thank you, Mr. President."

Senator Slom rose to speak against the measure and said:

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

"We're talking about intentions here and everybody has good intentions, but unfortunately the legal landscape is littered with good intentions, and lawsuits are made because people can find other intentions from legislation. And as has been talked about, this bill really lends itself for litigation.

"We're not talking really about discrimination here as much as we're talking about extending or creating or expanding civil rights for yet another group of individuals. And what we're saying, in effect, is that if any person involved in public accommodations or housing or recreation or any of these other classes that were discussed, for any reason denies someone access, we're now creating a legal cause of action and allowing that person to say, 'The only reason you denied me access was because of my sexual orientation.'

"I think it's a bad precedent. I think it's a bad law, and I urge my colleagues to vote against it."

Senator Matsuura rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"As you know, I am in the flower industry and many of my friends and clients are gay. In discussion with them, even during the campaign, this issue did come up many times about their sexual orientation, about traditional marriage.

"Basically, on this bill, I oppose it because, Is there a problem of discrimination within our state? And the answer is no. There is no discrimination. I don't see it, yet this will create a road block. Like the Senator from Hawaii Kai says, this could create situations where they can use this law to sue, even though you may not be, because as many of us know, you cannot tell if you are homosexual or not -- it's a lifestyle.

"So on top of that, I stand in opposition to this bill. Thank you."

The motion was put by the Chair and carried, S.B. No. 1151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, Buen, Bunda, M. Ige, Kawamoto, Matsuura, Sakamoto, Slom, Tanaka). Excused, 1 (D. Ige).

Stand. Com. Rep. No. 652 (S.B. No. 528, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 652 was adopted and S.B. No. 528, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

Stand. Com. Rep. No. 730 (S.B. No. 856, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 730 was adopted and S.B. No. 856, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

Stand. Com. Rep. No. 778 (S.B. No. 656, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 778 be adopted and S.B. No. 656, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"We're calling on the formation of a citizens' advisory council for the Public Utilities Commission. We've already cited the need for reforms in the PUC. We have new people that are coming into the PUC. But yet we continue to have bills that diminish the powers and responsibilities of the PUC. If we're going to have a Public Utilities Commission, then we have to hold them accountable and responsible for what they do. And by adding another level, another layer of bureaucracy, we're not doing that. So I think that this is unnecessary, costly and redundant.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 778 was adopted and S.B. No. 656, S.D. 2, 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, 23. Noes, 1 (Slom). Excused, 1 (D. Ige).

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

S.B. No. 584, S.D. 1:

Senator Chumbley moved that S.B. No. 584, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Chumbley then said:

"Mr. President, I have some written comments to insert on this measure."

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

"The purpose of S.B. No. 584, S.D. 1, is to require enhanced sentences for repeat violent offenders who are convicted of murder, of a class A violent felony, or of a felony sex assault. We heard a number of similar bills together, and we have used this bill as the vehicle for all enhanced sentencing for violent offenders and sex offenders.

"Why should we mandate enhanced sentencing? We heard testimony that, especially with sex offenses, violent felons who have demonstrated a pattern of repeat offenses will get out and offend again. We want to protect the people of Hawaii from violent felons who have shown themselves to be incorrigible predators. The purpose of an extended sentence is not to make an offender spend 20 years instead of 5 in prison. The purpose is to get at the offender who has demonstrated a predatory and violent nature, the offender who will be serving time for most of the next 20 years for a succession of offenses, but getting out for a year or two between sentences and committing additional violent felonies. This sort of violent predator should be kept in prison, not given the opportunity to commit additional offenses before being put away again.

"We are recommending enhanced sentences that, for the most part, simply make mandatory the extended term sentence that a judge would have the discretion to give under current law. The measure does not substantially increase sentences beyond what is possible under the current law -- in most cases, it simply ensures that extended term sentencing will be used for those who commit serious, violent felonies for the third or fourth time. We believe the measure as amended successfully balances fiscal concerns with the need to protect the people of this State from dangerous and predatory criminals."

The motion was put by the Chair and carried, S.B. No. 584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

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

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

The Chair then remarked:

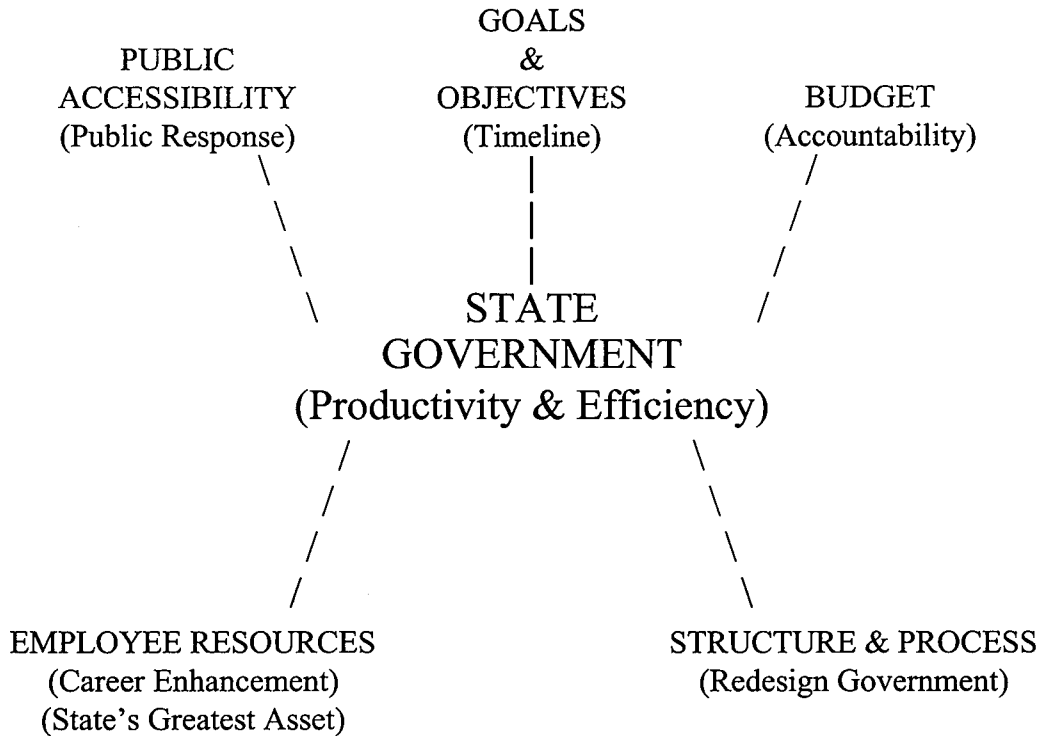
"The Chair would like to thank all the members of the Senate. This has been a very long day. I appreciate all of your remarks and the debate that went on for all of our Senate bills that are moving to the House."

ADJOURNMENT

At 3:59 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., Thursday, March 11, 1999.

ATTACHMENT "A"

GOVERNMENT PRODUCTIVITY
& EFFICIENCY
for the 21st Century



TWENTY-EIGHTH DAY

Thursday, March 11, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Atsushi Nagao, Shingon Mission 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 Twenty-Seventh Day.

Senators Kanno and Chun Oakland introduced the following members of Team High Performance, a group of individuals that perform and promote the world sport of yo-yo play: Devin Yamada, Cody Kiyabu, Sky Kiyabu, Alfred Pacheco, Yves Young, Ross Pascual, Noel Popham, Alex Garcia and Yo-Yo Master Dennis McBride. Accompanying the group were Sharon Alvarado, team manager, and Alan Nagao, creator of Team High Performance. Three members of Team High Performance who were not present were Jennifer Baybrook, Paul Han and Alan Batangan.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair. At this time, the members of Team High Performance demonstrated their excellent skills in yo-yo play.

The Senate reconvened at 12:01 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 231 and 232) were read by the Clerk and were placed on file:

Gov. Msg. No. 231, dated March 4, 1999, transmitting the Annual Report for Fiscal Year 1998 on Recommendation for Denial of Claims Filed Under the Legislative Relief Act, prepared by the Department of the Attorney General, pursuant to Section 37-77, HRS.

Gov. Msg. No. 232, dated March 8, 1999, transmitting the Report on State Positions Assigned to Salary Ranges SC-1, SC-2, and SC-3, prepared by the Department of Human Resources Development pursuant to Section 77-13, HRS.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 25, from the Department of Commerce and Consumer Affairs, Insurance Division, dated March 2, 1999, transmitting an errata to the Report of the Insurance Commissioner of Hawaii 1998 Summary of Insurance Business for the Year 1997, was read by the Clerk and was placed of file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 161 to 387) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 161, transmitting H.B. No. 1, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER 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. 162, transmitting H.B. No. 3, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," 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. 163, transmitting H.B. No. 4, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 4, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," 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. 164, transmitting H.B. No. 5, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 5, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," 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. 165, transmitting H.B. No. 8, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 8, 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. 166, transmitting H.B. No. 20, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 20, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 167, transmitting H.B. No. 32, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 32, H.D. 2, 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 Judiciary.

Hse. Com. No. 168, transmitting H.B. No. 34, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 34, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed First

Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 169, transmitting H.B. No. 37, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 37, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," 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. 170, transmitting H.B. No. 45, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 45, 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. 171, transmitting H.B. No. 47, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 47, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 172, transmitting H.B. No. 71, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 71, 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.

Hse. Com. No. 173, transmitting H.B. No. 72, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 72, 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.

Hse. Com. No. 174, transmitting H.B. No. 77, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 77, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY ENCROACHMENT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 175, transmitting H.B. No. 89, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 89, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OKINAWAN CENTENNIAL CELEBRATION COMMISSION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 176, transmitting H.B. No. 102, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 102, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGE PAYMENTS," passed First Reading by title and was referred to the Committee on Labor and Environment.

Hse. Com. No. 177, transmitting H.B. No. 119, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 119, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 178, transmitting H.B. No. 122, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 122, H.D. 2, 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.

Hse. Com. No. 179, transmitting H.B. No. 123, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 123, 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. 180, transmitting H.B. No. 134, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 134, 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 Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 181, transmitting H.B. No. 136, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 136, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," 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. 182, transmitting H.B. No. 151, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 151, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 183, transmitting H.B. No. 157, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 157, 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. 184, transmitting H.B. No. 167, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 167, H.D. 3, 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. 185, transmitting H.B. No. 138, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 138, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 186, transmitting H.B. No. 140, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," 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. 187, transmitting H.B. No. 154, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 154, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 188, transmitting H.B. No. 159, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 159, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 189, transmitting H.B. No. 162, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 190, transmitting H.B. No. 170, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 170, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO LONG-TERM CARE TAX BENEFITS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 191, transmitting H.B. No. 171, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 171, 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 Human Services, then to the Committee on Judiciary.

Hse. Com. No. 192, transmitting H.B. No. 174, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 174, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 193, transmitting H.B. No. 178, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 178, H.D. 2, 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 Ways and Means.

Hse. Com. No. 194, transmitting H.B. No. 201, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 201, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 195, transmitting H.B. No. 212, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 212, H.D. 1, 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. 196, transmitting H.B. No. 231, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 231, H.D. 2, 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. 197, transmitting H.B. No. 232, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 232, H.D. 2, 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. 198, transmitting H.B. No. 235, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 235, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," 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. 199, transmitting H.B. No. 250, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 250, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 200, transmitting H.B. No. 252, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 252, 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 and Technology, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 201, transmitting H.B. No. 266, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 266, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 202, transmitting H.B. No. 273, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 203, transmitting H.B. No. 286, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 286, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," 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. 204, transmitting H.B. No. 287, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 287, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," passed First Reading by title and

was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 205, transmitting H.B. No. 310, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 310, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 206, transmitting H.B. No. 316, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 316, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ARTS EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 207, transmitting H.B. No. 318, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 318, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SCHOOL CLERICAL POSITIONS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 208, transmitting H.B. No. 324, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 324, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 209, transmitting H.B. No. 325, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 325, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 210, transmitting H.B. No. 351, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 351, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 211, transmitting H.B. No. 353, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 353, H.D. 2, 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 and Consumer Protection.

Hse. Com. No. 212, transmitting H.B. No. 354, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 354, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF THE CONDOMINIUM PROPERTY REGIMES LAW," passed First Reading by title and was referred jointly to the Committee on Government Operations and Housing and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 213, transmitting H.B. No. 368, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," 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. 214, transmitting H.B. No. 375, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 375, 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. 215, transmitting H.B. No. 377, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 377, 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 Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 216, transmitting H.B. No. 424, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 424, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," 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. 500, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 500, H.D. 3, 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. 218, transmitting H.B. No. 510, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 510, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed First Reading by title and was referred to the Committee on

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

Hse. Com. No. 219, transmitting H.B. No. 531, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 531, 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. 220, transmitting H.B. No. 582, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 582, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," 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. 221, transmitting H.B. No. 602, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 222, transmitting H.B. No. 632, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 632, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 223, transmitting H.B. No. 635, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 635, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 224, transmitting H.B. No. 642, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 642, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 225, transmitting H.B. No. 657, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 657, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 226, transmitting H.B. No. 706, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 706, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES," 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. 227, transmitting H.B. No. 718, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 718, H.D. 1, 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 Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 228, transmitting H.B. No. 719, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 719, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," 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. 229, transmitting H.B. No. 746, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 746, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HULA," passed First Reading by title and was referred to the Committee on Education and Technology.

Hse. Com. No. 230, transmitting H.B. No. 749, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 749, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 231, transmitting H.B. No. 753, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 232, transmitting H.B. No. 756, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 756, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 233, transmitting H.B. No. 765, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 765, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 234, transmitting H.B. No. 791, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 791, H.D. 2, 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 and Consumer Protection.

Hse. Com. No. 235, transmitting H.B. No. 789, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 789, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KASHBOX PROGRAM," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 236, transmitting H.B. No. 798, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 798, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 237, transmitting H.B. No. 806, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 806, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," 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. 238, transmitting H.B. No. 827, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 827, H.D. 3, 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 Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 239, transmitting H.B. No. 830, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," 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. 240, transmitting H.B. No. 833, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 833, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 241, transmitting H.B. No. 838, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 838, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED EMPLOYEES AND EMPLOYERS OF LEASED EMPLOYEES," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 242, transmitting H.B. No. 848, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 848, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 243, transmitting H.B. No. 849, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," 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. 855, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 855, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 245, transmitting H.B. No. 877, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 877, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 246, transmitting H.B. No. 885, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 885, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII GOOD SAMARITAN LAW,"

passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 247, transmitting H.B. No. 899, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 899, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT KING INTERMEDIATE SCHOOL," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 248, transmitting H.B. No. 936, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 936, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 249, transmitting H.B. No. 938, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 938, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 250, transmitting H.B. No. 949, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 949, H.D. 2, 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 Ways and Means.

Hse. Com. No. 251, transmitting H.B. No. 967, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 967, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 252, transmitting H.B. No. 970, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 970, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 253, transmitting H.B. No. 971, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 971, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 254, transmitting H.B. No. 972, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 972, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 255, transmitting H.B. No. 973, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 973, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 256, transmitting H.B. No. 982, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 257, transmitting H.B. No. 1020, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1020, 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. 258, transmitting H.B. No. 1021, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1021, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," 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 Commerce and Consumer Protection.

Hse. Com. No. 259, transmitting H.B. No. 1027, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1027, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS FOR AVIATION

TRAINING 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. 260, transmitting H.B. No. 1029, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1029, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," 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. 261, transmitting H.B. No. 1034, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1034, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 262, transmitting H.B. No. 1038, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1038, 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 Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 263, transmitting H.B. No. 1041, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1041, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 264, transmitting H.B. No. 1060, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1060, 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 Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 265, transmitting H.B. No. 1067, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1067, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 266, transmitting H.B. No. 1078, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1078, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed

First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 267, transmitting H.B. No. 1079, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1079, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 268, transmitting H.B. No. 1083, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1083, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 269, transmitting H.B. No. 1085, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1085, H.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 270, transmitting H.B. No. 1105, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1105, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE GOVERNMENT BASED ON YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 271, transmitting H.B. No. 1111, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1111, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 272, transmitting H.B. No. 1125, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1125, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 273, transmitting H.B. No. 1149, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1149, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 274, transmitting H.B. No. 1151, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1151, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 275, transmitting H.B. No. 1162, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1162, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 276, transmitting H.B. No. 1170, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1170, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 277, transmitting H.B. No. 1173, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1173, H.D. 1, 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 Water, Land, and Hawaiian Affairs.

Hse. Com. No. 278, transmitting H.B. No. 1177, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1177, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," 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. 279, transmitting H.B. No. 1178, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1178, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 280, transmitting H.B. No. 1183, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1183, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BEACH 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. 281, transmitting H.B. No. 1210, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1210, 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. 282, transmitting H.B. No. 1257, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1257, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 283, transmitting H.B. No. 1282, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1282, entitled: "A BILL FOR AN ACT RELATING TO THE HONOKAA-PAAULIO IRRIGATION DISTRICT," 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. 284, transmitting H.B. No. 1286, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 285, transmitting H.B. No. 1287, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 286, transmitting H.B. No. 1401, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1401, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 287, transmitting H.B. No. 1409, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1409, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE 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. 288, transmitting H.B. No. 1413, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 289, transmitting H.B. No. 1457, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1457, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," 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. 290, transmitting H.B. No. 1460, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1460, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING SYSTEM," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 291, transmitting H.B. No. 1522, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1522, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 292, transmitting H.B. No. 1528, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURES ON ARREST," 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. 293, transmitting H.B. No. 1593, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1593, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing.

Hse. Com. No. 294, transmitting H.B. No. 1594, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1594, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 295, transmitting H.B. No. 1595, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 296, transmitting H.B. No. 1596, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1596, H.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR 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. 297, transmitting H.B. No. 1616, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1616, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 298, transmitting H.B. No. 1617, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1617, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 299, transmitting H.B. No. 1621, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1621, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 300, transmitting H.B. No. 1653, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1653, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED IMPROVEMENT PROJECT," 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. 301, transmitting H.B. No. 1686, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1686, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 302, transmitting H.B. No. 1693, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1693, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 303, transmitting H.B. No. 1703, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," 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. 304, transmitting H.B. No. 1706, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1706, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," 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. 305, transmitting H.B. No. 1726, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1726, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY HEALTH SERVICES,"

passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 306, transmitting H.B. No. 1750, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1750, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BUSINESS SPECIALIST POSITIONS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 307, transmitting H.B. No. 67, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 67, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL JUSTICE REFORM," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary.

Hse. Com. No. 308, transmitting H.B. No. 107, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 107, 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 and Consumer Protection.

Hse. Com. No. 309, transmitting H.B. No. 142, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 142, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 310, transmitting H.B. No. 149, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 149, 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 and Technology, then to the Committee on Judiciary.

Hse. Com. No. 311, transmitting H.B. No. 150, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 150, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 312, transmitting H.B. No. 156, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 156, 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. 313, transmitting H.B. No. 166, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 166, 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. 314, transmitting H.B. No. 176, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 176, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 315, transmitting H.B. No. 179, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 179, H.D. 2, 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. 316, transmitting H.B. No. 185, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 185, 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 and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 317, transmitting H.B. No. 199, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 199, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OLD KAIMUKI PUBLIC LIBRARY," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 318, transmitting H.B. No. 247, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 247, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 319, transmitting H.B. No. 259, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 259, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD ASSESSMENTS," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee

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

Hse. Com. No. 320, transmitting H.B. No. 260, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 260, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 321, transmitting H.B. No. 336, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 336, H.D. 1, 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 Ways and Means.

Hse. Com. No. 322, transmitting H.B. No. 367, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 367, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION," 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. 323, transmitting H.B. No. 411, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 411, 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 and Consumer Protection.

Hse. Com. No. 324, transmitting H.B. No. 423, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 423, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE," 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. 325, transmitting H.B. No. 499, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 499, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 326, transmitting H.B. No. 533, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 533, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE,"

passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 327, transmitting H.B. No. 544, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 544, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY NET HEALTH PLANS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 328, transmitting H.B. No. 645, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 645, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," 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. 329, transmitting H.B. No. 647, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 647, 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 Judiciary.

Hse. Com. No. 330, transmitting H.B. No. 648, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 648, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MAINTENANCE FEES," 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. 331, transmitting H.B. No. 658, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 332, transmitting H.B. No. 661, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 661, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 333, transmitting H.B. No. 664, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 664, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN

COMPANY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 334, transmitting H.B. No. 766, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 766, 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 Judiciary.

Hse. Com. No. 335, transmitting H.B. No. 792, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 336, transmitting H.B. No. 797, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 797, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," 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. 337, transmitting H.B. No. 850, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 850, 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 and Consumer Protection.

Hse. Com. No. 338, transmitting H.B. No. 945, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 945, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL 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. 339, transmitting H.B. No. 995, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 995, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' 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. 340, transmitting H.B. No. 1003, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1003, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 341, transmitting H.B. No. 1004, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1004, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 342, transmitting H.B. No. 1007, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1007, 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. 343, transmitting H.B. No. 1014, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1014, H.D. 2, 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. 344, transmitting H.B. No. 1028, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1028, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," 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. 345, transmitting H.B. No. 1040, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1040, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET RESERVE FUND," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 346, transmitting H.B. No. 1055, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1055, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE TAXES," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means.

Hse. Com. No. 347, transmitting H.B. No. 1056, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1056, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means.

Hse. Com. No. 348, transmitting H.B. No. 1063, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 349, transmitting H.B. No. 1070, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1070, 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 and Consumer Protection.

Hse. Com. No. 350, transmitting H.B. No. 1072, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1072, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 351, transmitting H.B. No. 1073, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1073, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 352, transmitting H.B. No. 1080, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1080, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 353, transmitting H.B. No. 1142, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1142, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 354, transmitting H.B. No. 1172, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1172, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," 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. 355, transmitting H.B. No. 1198, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1198, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT 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. 356, transmitting H.B. No. 1237, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1237, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary.

Hse. Com. No. 357, transmitting H.B. No. 1267, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1267, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 358, transmitting H.B. No. 1276, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1276, 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 Ways and Means.

Hse. Com. No. 359, transmitting H.B. No. 1280, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1280, H.D. 2, 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 Ways and Means.

Hse. Com. No. 360, transmitting H.B. No. 1296, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1296, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," 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. 361, transmitting H.B. No. 1298, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1298, entitled: "A BILL FOR AN ACT RELATING TO BURIALS," 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. 362, transmitting H.B. No. 1344, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1344, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," 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. 363, transmitting H.B. No. 1361, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1361, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 364, transmitting H.B. No. 1403, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1403, H.D. 1, 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 Ways and Means.

Hse. Com. No. 365, transmitting H.B. No. 1411, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1411, 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 and Consumer Protection.

Hse. Com. No. 366, transmitting H.B. No. 1416, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1416, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 367, transmitting H.B. No. 1430, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1430, H.D. 1, 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 OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 368, transmitting H.B. No. 1471, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1471, 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, then to the Committee on Ways and Means.

Hse. Com. No. 369, transmitting H.B. No. 1491, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1491, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 370, transmitting H.B. No. 1501, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1501, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 371, transmitting H.B. No. 1529, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1529, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 372, transmitting H.B. No. 1620, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 373, transmitting H.B. No. 1622, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1622, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 374, transmitting H.B. No. 1623, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1623, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 375, transmitting H.B. No. 1624, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1624, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 376, transmitting H.B. No. 1636, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1636, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," 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. 377, transmitting H.B. No. 1637, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1637, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 378, transmitting H.B. No. 1649, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1649, H.D. 2, 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. 379, transmitting H.B. No. 1664, H.D. 3, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1664, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 380, transmitting H.B. No. 1668, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1668, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH," 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. 381, transmitting H.B. No. 1675, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1675, 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 to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 382, transmitting H.B. No. 1682, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1682, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 383, transmitting H.B. No. 1683, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1683, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 384, transmitting H.B. No. 1692, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1692, 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. 385, transmitting H.B. No. 1711, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1711, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," 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. 386, transmitting H.B. No. 1749, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1749, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHY EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 387, transmitting H.B. No. 1039, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1039, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENT OF ARTICLE VII OF THE HAWAII CONSTITUTION TO ESTABLISH AN EMERGENCY AND BUDGET RESERVE FUND," passed First Reading by title and was referred to the Committee on Ways and Means, then to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 67 to 71) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE EFFECTS OF ELECTRIC AND MAGNETIC FIELDS ON THE INCIDENCE OF CANCER IN HAWAII'S POPULATION."

Offered by: Senators Chun Oakland, Kanno.

No. 68 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE TO CLAIM ITS FAIR SHARE OF THE CEDED LAND REVENUES."

Offered by: Senator Matsuura.

No. 69 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO CLAIM THEIR FAIR SHARE OF THE CEDED LAND REVENUES."

Offered by: Senator Matsuura.

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING PREPARATION OF AN ARCHITECTURAL PLAN WHICH INCLUDES THE PARTICIPATION OF THE COMMUNITY PRIOR TO ESTABLISHING MIDDLE SCHOOLS."

Offered by: Senator Tam.

No. 71 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF THE HAWAII MEDICAL SERVICE ASSOCIATION WITH REGARD TO PARTICIPATING HOSPITALS."

Offered by: Senator Levin.

SENATE RESOLUTION

The following resolution (S.R. No. 31) was read by the Clerk and was deferred:

Senate Resolution

No. 31 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE EFFECTS OF ELECTRIC AND MAGNETIC FIELDS ON THE INCIDENCE OF CANCER IN HAWAII'S POPULATION."

Offered by: Senators Chun Oakland, Kanno.

STANDING COMMITTEE REPORT

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 907) recommending that S.C.R. No. 21, 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. 21, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS TO ENFORCE THE SPIRIT AND INTENT OF PUBLIC LAW 99-190," was adopted.

ORDER OF THE DAY

THIRD READING

S.B. No. 1586, S.D. 2:

Senator Fukunaga moved that S.B. No. 1586, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in support of the measure with reservations and stated:

"Mr. President, I rise in support with reservations on this bill.

"While we have amended several things here and put several good pieces together, my problem with this bill, when I was discussing this in the Education Committee with the Superintendent of Education, I feel that the Attorney General's Office should be providing the legal assistance and we shouldn't have to go out and hire still more attorneys. So, with those reservations I will support the bill, Mr. President.

"Thank you."

Senator M. Ige rose in opposition to the measure and stated:

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

"Mr. President, we worked hard on this hiring of attorneys by the Attorney General as one of your co-chairs two years ago in Government Operations. And working with the Attorney General, working with her to look at the types of attorneys she can hire on the Mainland, we made that window very, very small; very, very specific; very, very detailed. And now, to come across a bill like this where we allow the Board of Education to basically hire carte blanche -- any attorney for any purpose -- I think, is going far beyond what we originally intended.

"I thought, from looking at this measure, that it was going to be for our cases against Felix types of issues in the schools. And going back to the community, one of our biggest concerns for teachers was basically the cases that we are losing in the Felix area. And as a result, we came out with this bill which we supported wholeheartedly, but with that one clause allowing the board to now hire an outside attorney for any reason, I think, is going into a very dangerous area. We're setting a very bad precedent. I think it deserves fuller discussion and debate.

"For those reasons, Mr. President, I'm voting 'no. Thank you."

Senator Anderson rose to speak with reservations on the measure as follows:

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

"The main reason is, I concur with the other two. Also, the Board of Education, if they're going to be able to set salaries, hire an attorney, my understanding is that they will be able to help the principals. I've been listening rather closely lately, and the teachers are not getting support from the principals. So, if the Board of Education is in charge of that attorney, because they're going to be responsible to them since they're setting the salaries, then who are they going to go ahead and defend? The principals? The teachers, if the teachers are right? Who are they going to be accountable for? That's part of my problem.

"And then if you remember the other day, Mr. President, I had a bill on my stack that was here. It was about the athletic programs that we have. This bill says on page 5, line 14: 'The term also includes coaches' salaries, athletic health care trainers' salaries, athletic equipment and supplies.' We have been saying that we want athletic programs at the schools, but we don't put any money into those programs. So, once they're mandated and they keep taking money from the same pot, what has happened is the programs have to get smaller because we're saying you have to have an athletic program. If we're going to say that we're going to fund them, it would be different. But we open new schools; we tell them you have to have a program and we don't give them the money. The pot is getting smaller. The programs are getting smaller. And I don't think the coaches are very happy with the way that the schools are being run with the athletic programs that they now have.

"So, I have reservations and I hope that we will look at that when the bill comes around again.

"Thank you very much, Mr. President."

Senator D. Ige rose to support the measure and said:

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

"Mr. President, in the hearing before the Education Committee, it became very clear to us that teachers and administrators at the school level, on the front line, dealing with the Felix issue on a day to day basis, really felt that they were not supported, especially in terms of getting legal advice. They testified on many, many occasions of sitting in IEP meetings and having the attorney representing the children there and really not having any access to any attorneys to discuss options

and the parameters upon which the Department is obligated to provide services to these children. And this bill is in direct response to that.

"The intent of the committee was really to clearly focus access to advice of attorneys, explicitly for dealing with issues involving children with disabilities. And the bill emphatically states that. I'm not quite certain where the Senator from Kaneohe gets language that they can hire attorneys to deal with other issues. And clearly, if this language isn't specific to dealing with children with disabilities, the committee is committed to re-focus the language to insure that we deal with this problem.

"The other thing that I did want to note is, in the testimony of the Attorney General, they basically said that they have only two attorneys assigned full-time to deal with issues involving children with disabilities, and they are overwhelmed and unable to meet the requirements of the public school system. So it is very clear that, in terms of just getting advice as to what is legally required, they really have no advice.

"So on those bases, I urge all my colleagues to vote in support."

At 12:09 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.

Senator Kawamoto rose in support of the measure and said:

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

"Mr. President, in the discussion we had in Ways and Means, many of them indicated that we've been losing about 80 to 100 percent of the cases that go before the courts. And the working people are not confident in their ability to protect their individual rights.

"So I urge all my colleagues to vote 'aye' on this bill."

Senator Slom rose again and said:

"Mr. President, I rise again to speak about what I spoke about the first time, and that is the Attorney General's responsibility in this and other areas. The last time I saw numbers, the Attorney General has more than 150 deputies in this state. So, for the Attorney General to say that there's only two that are assigned for this most important issue -- the Felix/Cayetano issue -- where we have a time certain deadline, where we do have teachers and others on the front lines, for the Attorney General not to make this a priority and to spend her time on other efforts, and for the Attorney General to demonstrate that she can go out and hire other attorneys from here and from the Mainland, shows me that there is poor management and a lack of responsibility and accountability in the Attorney General's Office.

"And that's where we should be focusing our attention. Absolutely we should take care of our teachers and those on the front lines. But let's hold those responsible that we're paying for and who have the direct responsibility to do this. I think it's shameless and outrageous for the Attorney General to say she can only spare two attorneys for this most noteworthy project.

"Thank you, Mr. President."

Senator Anderson rose in rebuttal as follows:

"Mr. President, just one short rebuttal.

"In my humble opinion, I don't ever remember anybody that has an attorney that they're going to have put to them and say you're going to be responsible to this group, that that's the only issue that they're going to look at. They're going to say:

'That's our attorney. Could you please give us advice on this. How about that?' It's not just going to be for this one issue, and that's why it's a complicated mess and I think that the Attorney General should be responsible for it.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, S.B. No. 1586, 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, 23. Noes, 1 (M. Ige). Excused, 1 (Tanaka).

S.B. No. 1519, S.D. 3:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1519, S.D. 3, 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 (Tanaka).

S.B. No. 102, S.D. 3:

Senator Fukunaga moved that S.B. No. 102, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Hanabusa requested a conflict ruling as follows:

"Mr. President, I'd like to request a conflict ruling from the Chair.

"I represent a plaintiff in an employment matter against the Hawaii Health Systems Corporation."

The Chair ruled that Senator Hanabusa was not in conflict.

The motion was put by the Chair and carried, S.B. No. 102, S.D. 3, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 1180, S.D. 1:

Senator Fukunaga moved that S.B. No. 1180, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure and said:

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

"While there are some parts of the bill that I think are very positive and very necessary, the overall thrust of this bill is not. I think there are constitutional problems with the bill. The Tax Department testified in opposition to the bill. A number of private companies, including Aloha Airlines, Price Waterhouse Coopers, testified in strong opposition saying that this bill would require additional paper work and expenses and would be a financial nightmare. A number of financial institutions also expressed similar concerns.

"And I think Lowell Kalapa of the Tax Foundation of Hawaii summed it up. He said, 'A proposal such as this, fuels the perception that Hawaii is a difficult place to do business. Unfortunately, this is the kind of thinking that has given Hawaii its reputation as a lousy place to do business.'

"For these reasons, I'm forced to vote 'no' on the bill and urge my colleagues to do so too. Thank you, Mr. President."

Senator Kawamoto rose to speak in support of the measure and said:

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

"Mr. President, further research indicated that the concerns that the companies would not like to have this rule indicated that their concerns were about \$100 to \$200. And I contend that the people that are misusing this rule are getting away with thousands of dollars. Therefore, if we're concerned about revenue enhancement, this bill would be an ideal thing. It's a revenue enhancement bill to get what's owed to the State.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 1180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF NONRESIDENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Tanaka).

S.B. No. 1046, S.D. 3:

Senator Fukunaga moved that S.B. No. 1046, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kanno rose and said:

"Mr. President, support with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1046, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 392, S.D. 2:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 392, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 1036, S.D. 3:

Senator Fukunaga moved that S.B. No. 1036, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and stated:

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

"Ninety-eight percent of the bill is a good bill except for that 2 percent. That 2 percent creates yet another special fund. I am opposed and continue to be opposed to special funds with the lack of responsibility and accountability. I vote 'no.'

"Thank you."

The motion was put by the Chair and carried, S.B. No. 1036, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Tanaka).

S.B. No. 1501, S.D. 3:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1501, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 175, S.D. 3:

Senator Fukunaga moved that S.B. No. 175, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose again in opposition and said:

"Mr. President, I rise in opposition to the bill.

"Again, the bill has many fine features to it but it also has some features that I don't care for, including the fact that it is going to provide for the hiring of 22 new positions including three attorneys. I find this contrary to what we're supposed to be doing in terms of reducing the size and cost of government, and it's also contrary to the Senate Majority package which calls for reductions in the number of employees.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 175, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Tanaka).

S.B. No. 425, S.D. 3:

Senator Fukunaga moved that S.B. No. 425, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase rose to speak against the bill and stated:

"Mr. President, I'm rising to speak in opposition to the bill.

"Mr. President, this bill reduces by 50 percent the funding for the adult education program. Presently, it's about \$2.5 million funding. This bill would jeopardize the adult education program by reducing that amount. I think it's important to understand, when we look at the effect of adult ed, that adult ed provides programs in two areas. First, special interests funded by fees. These are basically the recreational and cultural types of classes -- ikebana, dancing, etc. This represents about 25 percent of the student population in adult ed, or about 12,500 students. Last year, the fees collected was \$400,000 from this special interest program -- \$400,000, keep that figure in mind.

"The second area of programs that adult ed provides is adult basic education, GED, or the so-called academic areas -- 75 percent of the student population, about 63,000 students. The effect of this bill reduces funding by 50 percent . . . and keep in mind that we've also asked the Department of Education for a 10 percent reduction of funding for their programs. This is a statement I received from the Department of Education, the Adult Ed Section. The effects of this . . . and remember also, the GED programs, the adult education programs, are really programs for those who are unemployed, and those who are poor, and adults needing GED to participate in apprenticeship programs (this is the academic section). This is what the DOE said: 'With respect to the 50 percent reduction of general funds, in the academic program -- total enrollment 63,000, they

probably have to reduce the total enrollment to 28,000 students. It would jeopardize approximately \$1.3 million in federal funds by not meeting the maintenance of effort requirement. We must maintain a level of funding for these adult programs.'

"It would require from the special interest tuition funded programs an increase average from \$37 per student to about \$137 per student. In short, Mr. President, we would be asking 25 percent of the program to fund the 75 percent of programs which would be reduced by 50 percent, and either the tuition cost would be so outrageous that they can't pay it, and if they can't pay it they would not go to the programs and the special interest programs would die. This would have a tremendous impact on adult ed, tremendous impact on the unemployed, the poor, and the adults needing the GED and citizenship programs.

"And for those reasons, Mr. President, I'll be voting 'no.' Thank you."

Senator Slom also rose in opposition and said:

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

"The Section 1, purpose clause, says 'The legislature finds that as the State struggles with a prolonged fiscal crisis never before experienced in its history, government must utilize all the resources at its disposal to insure that governmental services continue to be provided.'

"First of all, we are not in a prolonged fiscal crisis; we are in a prolonged political crisis. And we don't know how to prioritize, and I've said this many times before. We don't know how to keep the good services. We don't know how to separate the costly services and the inefficient services from the others.

"So what's the solution that's proposed in this bill? The bill is to raise fees, to cut certain services. We're raising the fees and yet the amounts are left blank. We are all told and we learned a long time ago not to sign a blank check and yet that's what we're asked to do with this bill.

"I ask my colleagues to reconsider and to vote 'no' on this bill. Thank you."

Senator Kawamoto rose to support the measure as follows:

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

"Mr. President, I rise to speak for the bill in the hope that I can be on the conference team on this bill. (Laughter.)

"There are important transportation items in here that we need to take care of. The other half of the bill calls for 50 percent of the adult ed program to be self-sufficient. This is where we have concerns. The fact that in the adult ed program that's in the Waipahu area which covers from Pearl City all the way to Waianae, the concern is that the people cannot pay for some of the services provided by adult ed, and they would probably not have the services and it may reflect on the other half, which is the ability to have a high school education and degree from adult ed. Currently, we have about 500 graduates from adult ed per year.

"So therefore, Mr. President, I vote 'aye,' again, with the hope to be on the conference team. Thank you."

Senator Chun rose in support of the measure with reservations as follows:

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

"Mr. President, the intent of this bill is good, which is to basically charge fees where we should be charging fees to collect the true cost of certain services. I believe that I'm voting on this bill with reservations because I think it goes too far, especially in the area of adult education. I don't believe it

was the intent of the committee or the drafters of this bill to impact federal aid on adult education classes such as GED, English as a second language, and citizenship programs -- programs for which we receive federal funds and programs for which we are required to maintain a certain level of general funding.

"I believe, though, as this bill progresses that those issues can be addressed. I don't think anybody intended to stop adult education. I don't think anybody intended to stop the receipt of federal funds. And I think the intent is good and we should keep that in mind when we vote for this bill.

"Thank you."

Senator Fukunaga added her remarks on the bill as follows:

"At this juncture, I would certainly echo the prior speaker's remarks. This bill is a vehicle bill for us to have further discussions with the House as we go forward, and certainly the comments made by all the prior members are well taken.

"Thank you."

Senator Tam rose to speak in favor of the measure with reservations and said:

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

"I'd like to adopt the words of my colleague from Kauai as my very own. Thank you."

The Chair so ordered.

At this time, Senators Kanno and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 425, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Buen, Iwase, Slom). Excused, 1 (Tanaka).

S.B. No. 803, S.D. 2:

Senator Fukunaga moved that S.B. No. 803, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kanno rose and said:

"Mr. President, support with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 803, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE RESTRUCTURING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 112, S.D. 1:

On motion by Senator Tam, seconded by Senator Matsuura and carried, S.B. No. 112, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 646, S.D. 2:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 646, 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, 24. Noes, none. Excused, 1 (Tanaka).

S.B. No. 131, S.D. 3:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 131, S.D. 3, 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, 24. Noes, none. Excused, 1 (Tanaka).

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1024, S.D. 3:

Senator Chumbley moved that S.B. No. 1024, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun rose to support the measure with reservations as follows:

"Mr. President, I stand in support of the bill with reservations.

"Mr. President, this bill basically proposes to make all discretionary permits subject to the Environmental Impact Statement under 343, and I don't have a big problem with that. What I question is the proposal within the portion of the bill which would exempt those land uses at minimal or no significant effects. I think that is a good idea. What I do have questions about is that it makes those exemptions subject to the State Office of Environmental Center's approval.

"I believe, Mr. President, that the best way to determine whether or not a development within any certain county should be determined by the people most closely affected by that project and that is the people from those counties, not on a statewide basis. I think that on a statewide basis it gets diluted as to the intent and the concerns of the population who are more directly affected.

"So, Mr. President, while I agree with the intent of the bill to have projects subject to a little more closer review, I disagree with the mechanism in which they would want to have that review done. So I vote for this bill with reservations, Mr. President."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1024, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1231, S.D. 3:

Senator Nakata moved that S.B. No. 1231, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"Even though the floor amendment took care of the union loophole preference which was in the original measure, this bill still is an additional burden on small businesses with two or more employees requiring them to do more paperwork, more reporting, and also to try to set aside space.

"I am not a smoker. I have in my business a non-smoking office and I think that should be left to the businesses and their employees to decide.

"Thank you."

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

"Mr. President, I guess I rise to speak in opposition as well.

"First, I do not smoke. I do not want my children to smoke. And I would discourage everyone from ever smoking, but I do respect the right of an individual to make a choice.

"We have balanced this by enacting legislation to protect non-smokers. We have created smoke-free areas in all buildings where the public has access and provided smoke-free zones in business offices. However, this measure goes too far. It regulates all private businesses with two or more workers, regardless of accommodations provided to segregate smokers. It would even prohibit smoking in the workplace occupied exclusively by smokers.

"This bill goes beyond protecting non-smokers' rights and ignores the rights of individuals to choose.

"Thank you, Mr. President."

Senator Chun Oakland then rose to support the measure and said:

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

"Senate Bill 1231 would increase protection against involuntary exposure to environmental tobacco smoke, also known as ETS, at the workplace and extends these protections to a significantly greater number of employees than are presently covered. The bill excludes dining areas of restaurants, bars, meeting or banquet rooms in hotels when used for private functions, convention center facilities when used for private functions, or to guest rooms of a hotel.

"This issue has a long history in the State Legislature. Since 1992, increasing protection against workplace smoking has been on the department's agenda, the Department of Health. The existing state statute passed in 1987 is obsolete. Unfortunately, we have been unsuccessful in bringing the statute up to current standards. Because of such inaction, the Governor issued an executive memorandum, 97-14, prohibiting smoking in state buildings under the executive branches' control. Presently, the Judiciary is considering a similar policy. The City and County of Honolulu, in June of 1997, enacted Ordinance 97-20 eliminating smoking in all enclosed workplaces having two or more employees. Clearly, it is time for the Legislature to create a uniform standard to protect employees across the State.

"ETS is the third leading preventable cause of death in the United States today, behind active smoking and alcohol. The Environmental Protection Agency classified ETS as a Class A carcinogen. This category is reserved for the most dangerous

cancer causing substances such as radon, asbestos and benzene. Nationally, 53,000 deaths annually are attributed to ETS exposure.

"In Hawaii, tobacco takes a heavy toll killing over 1,300 residents and continues to cost us an estimated \$328 million, annually. All major causes of death among elderly are associated with smoking or ETS, namely cancer, heart disease and strokes. And each of these diseases are generally associated with months and years of disabling pain and suffering. The long-term care needs of these people are great.

"In 1995, a study by Brigham and Women's Hospital in Boston reported that smoking by pregnant women was linked to the death of 5,600 babies, 115,000 miscarriages, 53,000 low birth weight babies and 22,000 babies who needed intensive care at birth each year in the United States. In addition, smoking by pregnant women and exposure to second-hand smoke represents a major cause of illness, hospitalization and death of infants and children. Another 3,700 children die each year by the age of one month from complications caused by tobacco smoke during the mother's pregnancy, mainly because they are too tiny to survive. Attributed smoking by pregnant women are 1,900 cases of SIDS or sudden infant death syndrome, annually.

"The work site presents a highly dense environment that exposes people to ETS four times greater than the typical household. People spend more than one-third of their adult life at the work site, and I think in Hawaii probably more like two-thirds. In previous years, prior to the enactment of the Honolulu City and County ordinance, over 30 percent of the smoking and tobacco use complaints received by the Department of Health were from employees at private workplaces. These employees had voiced their concerns that they are not afforded adequate protection against ETS.

"This bill increases protection against exposure to ETS at the workplace and extends those protections to a greater number of employees in our State.

"Thank you."

Senator Iwase rose to oppose the measure and said:

"Mr. President, I'm rising to speak in . . . I'm going to vote 'no' on the bill. And the reason for it, Mr. President, after hearing this debate, I really came out here kind of W/R, but after hearing the debate and looking again at the bill . . .

"Mr. President, all the statements made by the previous speaker regarding the health impact of tobacco are true. They're real and must be addressed. But I think that when the government addresses these issues, they also have to take into account that we have a Constitution, and I think really one of the purposes of the Constitution is to restrain government. We put government together so there can be some order in our society but that people can also run free.

"The present law, I think, attempted to strike a good balance between protecting public health on the one hand, and allowing employers and businesses to operate when it limited its scope to state and county agencies in defining employer, and private corporations, firms or associations which receive state funds. Even if you took out 'which receives state funds' as a requirement, at least one could argue it limited itself to large organizations which required government action.

"This amendment would apply to anyone that employs two or more people. And with the down-sizing, with the economy, we have a lot of small businesses. I'm assuming we have a lot of businesses with, say, two or more people, maybe two people. And what this bill would do is to force an employer, if he had two people, to have a 50 percent reduction in workforce so that someone can smoke. And I don't think that's appropriate.

"I think that, hopefully, there will be discussions between the employer and employee in a small company like that so that all three people can be accommodated, but to bring out a law like this at this point in time, applying it to a company or organization or private entity or a solo practice with two or more people, I think is going a bit too far. And we now have an unbalanced system, and I don't think it's going to be something we ought to be pursuing.

"Thank you."

Senator M. Ige rose to speak against the measure and stated:

"Mr. President, I, too, rise in opposition, very briefly.

"I, too, do not smoke cigarettes. I don't encourage others from smoking cigarettes, but I just feel that during this time of poor economy, we should be working with the private sector as opposed to mandating them as this bill does.

"Thank you."

Senator Chun Oakland rose in response as follows:

"Mr. President, in response to the Senator from Mililani/Waipahu/Crestview's comments, the bill actually allows for the employer to make that accommodation. It does not mandate them to accommodate the smokers, but they are allowed to do that.

"Thank you."

Senator Iwase then rose and said:

"Mr. President, I thank the previous speaker for her comments. That is true -- it says that it doesn't have to provide a smoke place. But in the scenario proposed or opposed by the Senator from Moanalua, where you have three people all of whom smoke, if one of them wants to smoke, you've got to go find a place so that they can smoke. Send them outside, I guess. They can't build another add-on to an office in a small building, but you'd have to go and create or find a designated area someplace -- separate, I assume, from where the people are working.

"And again, understand whom we are affecting -- the small companies that are overburdened today when the present law provides, I think, a good balance. It dealt with the big companies, or medium-sized companies, or more than two people, and perhaps those companies -- I'm making a big assumption -- but perhaps those companies have some financial wherewithal to provide these designated areas, whereas a company with two or less employees probably cannot. And you're going to have, like I said, you're really asking them to have a 50 percent reduction in workforce for 10 minutes at a time so that someone can go outside and smoke. And I don't think that's something we should be doing.

"Thank you."

Senator Bunda requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1231, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Anderson, Buen, M. Ige, Iwase, Sakamoto, Slom). Excused, 1 (Tanaka).

S.B. No. 792, S.D. 3:

By unanimous consent, S.B. No. 792, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY

PROCESSES," was recommitted 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, I'm sure all of our colleagues saw the headlines yesterday about the Governor -- 'Cayetano: It's time for a change.' And the bold banners that he had there, I couldn't agree more, but it's taken him a long time to get around to realizing that we have to do something. He served for eight years as lieutenant governor and four years as governor. Prior to that, he spent his life in either the House or the Senate. And every time we mentioned any kinds of change or reforms, he was opposed to it. He had his own way of doing things. And I don't think that we're not to blame, either, because the second branch of government is us. And I think we're just as guilty for failing to take the bold and decisive action that we should have to avoid the crisis that we're now in.

"The tocsin is ringing and we ignored the warning about our peril. It is not too late, even now, to save this session from sinking into the sea of ignominious and fatal failure.

"You know, what we have done in this legislative branch is decided that we're not going to take action. We sit around and we discuss what should be done. We know what should be done and we do nothing. I have here that the Democrats have dilly-dallied for the last decade and our people are paying a high price for what has proved to be deadly delay.

"At this half-way point, we have hundreds, hundreds of bills, my colleagues. We can make corrections. We can do the things that we promised. It's not too late. We've played games like we did today by making amendments, changing our rules. And why did we do that? Because we made rules that said we're going to have a majority or we're going to have at least a group of us in any one committee before we can vote. And even when we have the numbers, let's defer this; we'll do it a little later. But we did that, so I just don't blame the Ways and Means Committee. I blame each one of the chairmen who has held bills back, delayed them, and then when they're pushed through in Ways and Means, they blame the staff because the staff couldn't go ahead and do their job properly. And when we're delayed to get on this floor because the printshop couldn't get everything out, you blame the printshop. But let's look within. Let's blame who is really at fault. It's us! We're the ones at fault.

"I don't go to certain meetings because I think it's a shame that they sit there and pass everything. They don't look at it and say, hey, this really is a good bill, but it's going to cost too much money; we can't afford it.

"The Governor talks about civil service reform. I said we should have had collective bargaining, whereby, if the unions are going to do something, they can take care of retirement and medical, but we can no longer afford the across-the-board raises for everybody. And then what happens? We passed this bill this morning on education and it doesn't do anything because of those attorneys and everybody else. As I said earlier, the principals are not backing the teachers, so how can you go ahead and expect the teachers to say, 'You're absolutely right, Whitney. Merit pay is what we should have,' because they don't trust the system. The system isn't working the way it should. People who are working hard are not going to be able to get the merit pay that they should. And people who are laying on the brooms and sitting on their butts are not going to be able to do anything but collect because of the hard work that others are doing.

"I really feel that it's a shame that we haven't moved on a lot of issues that we should have. The Governor says here that he had a surplus, but he also has expenses. Well, that may be true.

He says that the taxes, now, that he gave, the income tax is the reason that we are low in collections. That's not true. I haven't even received my taxes back yet.

"We're not passing the tax that is the most hard on everybody -- it's regressive -- and that's the 4 percent on food and drugs. I've said it over and over. We don't pass that. And in one year's time we'll be able to tell everybody I think we have to raise your taxes or we might be able to say, let's remove it from other things because I think it will stimulate this economy.

"And I apologize for not being able to read because reading isn't what really makes us do the job that we should. It's voting, knowing what we're voting on, pushing to make sure that we make the changes that we promised everybody. So, I do thank you for listening again.

"Thank you very much, Mr. President."

At 12:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

ADJOURNMENT

At 12:51 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, March 12, 1999.

TWENTY-NINTH DAY

Friday, March 12, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Joan of Arc Souza, Order of Saint Francis, Principal, Saint Francis School, after which the Roll was called showing all Senators present with the exception of Senators Buen and Tanaka who were excused.

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

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

Senator Matsunaga introduced Rear Admiral Kenneth P. Moritsugu, M.D., M.P.H., and congratulated him on his appointment to the post of Deputy Surgeon General of the United States.

Senator Matsunaga then introduced the following winners of the 1998-1999 Spark Matsunaga Peace Poster Contest: Kit Man Ho, grand prize winner; Hollie Joy Segundo, second place merit winner; and Devin Lonzaga, third place merit winner. Accompanying the winners was Keith Fukuda, District Governor representing the District 50 Lions Club.

Senator Taniguchi, in celebration of the 75th anniversary of Saint Francis Schools, introduced Sister Joan of Arc Souza, Principal; Sister Margaret Antone Milho, Assistant Principal; Sister M. Davilyn Ah Chick, Director of Development and Hawaii Region Council Member; and Stephanie Darrow, teacher and alumna.

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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 388 to 390) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 388, transmitting H.B. No. 100, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 100, 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. 389, transmitting H.B. No. 700, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 700, 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.

Hse. Com. No. 390, transmitting H.B. No. 1450, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1999, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1450, 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.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 72 to 84) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 72 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT A THREE YEAR PILOT PROGRAM TO CONVERT THE ALA WAI SMALL BOAT HARBOR TO A LEASED, NOT-FOR-PROFIT COMMUNITY-BASED MANAGEMENT SCHEME."

Offered by: Senators Tam, Ihara, Fukunaga.

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

No. 73 "SENATE CONCURRENT RESOLUTION URGING SUPPORT AND GIVING DUE CONSIDERATION FOR THE REQUESTS BY THE STATE LIBRARIAN TO IMPROVE THE HAWAII PUBLIC LIBRARY SYSTEM."

Offered by: Senators Tam, Chumbley, D. Ige, Matsunaga, Slom.

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

No. 74 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF LATEX PRODUCTS IN USE IN HAWAII IN HOSPITALS, CLINICS, AND MEDICAL FACILITIES."

Offered by: Senators Chun Oakland, Kanno, Fukunaga, Levin, Taniguchi.

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

No. 75 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FLUORIDATION OF DRINKING WATER."

Offered by: Senator Chun Oakland.

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

No. 76 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE UNIFORM LAW COMMISSIONERS' MODEL STATE ADMINISTRATIVE PROCEDURE ACT OF 1981 AND CHAPTER 91, HAWAII REVISED STATUTES, IN THE INTERESTS OF STREAMLINING GOVERNMENT REGULATIONS."

Offered by: Senator Chun Oakland.

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

No. 77 "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTIVE SERVICES ROUNDTABLE TO FORM A TASK FORCE TO EXAMINE

AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE."

Offered by: Senator Chun Oakland.

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

No. 78 "SENATE CONCURRENT RESOLUTION SUPPORTING THE CARING...FOR LIFE FOUNDATION AS THE COORDINATING AGENCY FOR A PUBLIC-PRIVATE PARTNERSHIP TO ACT AS A SINGLE ENTITY TO COORDINATE COMPONENTS OF A LONG-TERM CARE SYSTEM."

Offered by: Senator Chun Oakland.

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

No. 79 "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE THE FEASIBILITY OF CREATING SOS CHILDREN'S VILLAGES OF HAWAII."

Offered by: Senator Chun Oakland.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 80 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE TO BE KNOWN AS AINA-911."

Offered by: Senator Nakata.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL PERFORMANCE BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION."

Offered by: Senators Matsunaga, Chumbley.

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

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF AGRICULTURE TO WORK WITH INTERESTED GROUPS TO PREVENT THE ABUSIVE AND EXPLOITIVE TREATMENT OF LIVE EXOTIC ANIMALS IN TRAVELING EXHIBITS."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Economic Development

No. 83 "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE ESTABLISHMENT OF AN INSURANCE INSTITUTE AT THE COLLEGE OF BUSINESS ADMINISTRATION OF THE UNIVERSITY OF HAWAII."

Offered by: Senator Taniguchi.

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

No. 84 "SENATE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP ANALYSIS OF THE EFFECTIVENESS OF LEGISLATION AUTHORIZING DIRECT LONG-TERM RESIDENTIAL LEASES AT MAUNALAHA, OAHU; MILOLII-HOOPULOA, HAWAII; AND KIKALA-KEOKEA, HAWAII."

Offered by: Senator Fukunaga.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 32 to 38) were read by the Clerk and were referred to committees:

Senate Resolution

No. 32 "SENATE RESOLUTION URGING SUPPORT AND GIVING DUE CONSIDERATION FOR THE REQUESTS BY THE STATE LIBRARIAN TO IMPROVE THE HAWAII PUBLIC LIBRARY SYSTEM."

Offered by: Senators Tam, Chumbley, D. Ige, Matsunaga, Slom.

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

No. 33 "SENATE RESOLUTION CONCERNING THE BARTLETT PAINTING ONCE LOCATED AT THE HAWAII STATE LIBRARY."

Offered by: Senators Tam, Chumbley, D. Ige, Matsunaga, Slom.

Referred to: Committee on Education and Technology, then to the Committee on Judiciary

No. 34 "SENATE RESOLUTION URGING A CONCERTED EFFORT OF THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO INCREASE THE REPAIR AND MAINTENANCE BUDGET FOR HAWAII PUBLIC SCHOOLS."

Offered by: Senators Tam, Bunda, Chumbley, D. Ige, Matsunaga, Sakamoto, Slom.

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

No. 35 "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE TO BE KNOWN AS AINA-911."

Offered by: Senator Nakata.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 36 "SENATE RESOLUTION URGING THE ESTABLISHMENT OF WRITTEN CRITERIA TO ASSESS THE QUALIFICATIONS OF JUDICIAL APPLICANTS AND A FEASIBILITY STUDY ON MERIT PAY INCENTIVES FOR JUDGES AND JUSTICES."

Offered by: Senator Tam.

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

No. 37 "SENATE RESOLUTION URGING SUPPORT FOR THE ESTABLISHMENT OF AN INSURANCE

INSTITUTE AT THE COLLEGE OF BUSINESS
ADMINISTRATION OF THE UNIVERSITY OF HAWAII."

Offered by: Senator Taniguchi.

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

No. 38 "SENATE RESOLUTION REQUESTING A
FOLLOW-UP ANALYSIS OF THE EFFECTIVENESS OF
LEGISLATION AUTHORIZING DIRECT LONG-TERM
RESIDENTIAL LEASES AT MAUNALAHA, OAHU;
MILOLII-HOOPULOA, HAWAII; AND KIKALA-KEOKEA,
HAWAII."

Offered by: Senator Fukunaga.

Referred to: Committee on Water, Land, and Hawaiian
Affairs, then to the Committee on Ways and Means

STANDING COMMITTEE REPORT

Senator Nakata, for the Committee on Labor and
Environment, presented a report (Stand. Com. Rep. No. 908)
recommending that the Senate advise and consent to the
nomination of FREDERICK R. WARSHAUER to the
Endangered Species Recovery Committee, in accordance with
Gov. Msg. No. 185.

In accordance with Senate Rule 36(6), action on Stand. Com.
Rep. No. 908 and Gov. Msg. No. 185 was deferred until
Monday, March 15, 1999.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that
was offered:

Senate
Concurrent
Resolution

Referred to:

No. 56
Affairs

Committee on Water, Land, and Hawaiian

At 12:01 o'clock p.m., the Senate stood in recess subject to
the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Chun, seconded
by Senator Slom and carried, the Senate adjourned until 11:00
o'clock a.m., Monday, March 15, 1999.

THIRTIETH DAY

Monday, March 15, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:08 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major Roberto Rubin, Waioli Chapel, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senators Kanno, Levin and Tam who were excused.

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

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

Senator Kawamoto recognized the 68th Medical Company of the U.S. Army for their contributions to the health and welfare of our citizens and introduced several of its representatives as follows: Gene Delis, flight medic; Fred Williams, air frame mechanic; Chelsea Waiters, radio telephone operator; Jeff Michaelis, communications specialist; and George Hobbs, unit supply specialist.

Senator Inouye congratulated the Society of Seven on the occasion of their 30th anniversary as headliners at the Outrigger Waikiki Hotel's Main Showroom and introduced the following members of the group: Tony Ruivivar, Bert Sagum, Hoku Low, Gary Bautista, Wayne Wakai, Roy Guerzo and Randy Abellar. Accompanying the gentlemen was their manager, Fran Kirk.

At 11:19 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 233 and 234) were read by the Clerk and were placed on file:

Gov. Msg. No. 233, dated March 10, 1999, transmitting the 1998 Annual Report prepared by the Hawaii Strategic Development Corporation, pursuant to Section 92-12, HRS.

Gov. Msg. No. 234, dated March 10, 1999, transmitting the 1998 Annual Report of the Environmental Council, Environmental Report Card, 1998.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 85 to 109) were read by the Clerk and were referred to committees or deferred:

Senate Concurrent Resolution

No. 85 "SENATE CONCURRENT RESOLUTION REQUESTING THE EXTENSION OF THE COMMISSION TO ESTABLISH THE HAWAII SPORTS HALL OF FAME."

Offered by: Senators Mizuguchi, Fukunaga, Inouye, Kawamoto, Levin, Taniguchi.

Referred to: Committee on Economic Development

No. 86 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY."

Offered by: Senator Tam.

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

No. 87 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PHYSICAL EDUCATION PROGRAM FOR SPECIAL EDUCATION STUDENTS."

Offered by: Senator Tam.

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

No. 88 "SENATE CONCURRENT RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO STUDY THE PROBLEMS ASSOCIATED WITH THE CONDOMINIUM PROPERTY REGIME LAW."

Offered by: Senators Tam, Anderson, Hanabusa, Matsunaga, Matsuura.

Referred to: Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE BOARD OF EDUCATION TO ESTABLISH A TECHNOLOGY EDUCATION PROGRAM."

Offered by: Senator Tam.

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

No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING RELEASE OF ALL FEDERAL IMPACT AID FUNDS DIRECTLY TO THE DEPARTMENT OF EDUCATION UPON RECEIPT FROM THE FEDERAL GOVERNMENT AND THAT THE BUDGET FOR SCHOOL OPERATIONS NOT BE REDUCED BY FEDERAL IMPACT AID."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 91 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE DEPARTMENT OF HEALTH."

Offered by: Senator Tam.

Referred to: Committee on Health and Human Services, then to the Committee on Education and Technology

No. 92 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF STATE TO NEGOTIATE RECIPROCAL DRIVER'S LICENSE AGREEMENTS WITH FOREIGN COUNTRIES."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Transportation and Intergovernmental Affairs

No. 93 "SENATE CONCURRENT RESOLUTION URGING A STUDY REGARDING THE ISSUE OF PERSONAL PRIVACY AND COMMERCIAL USE OF PERSONAL INFORMATION."

Offered by: Senators Matsunaga, Chumbley.

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

No. 94 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE HAWAII RULES OF CIVIL PROCEDURE RELATED TO OFFERS OF JUDGMENT AND ALLOWING DISCOVERY AND TESTIMONY BY VIDEOTAPE."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Judiciary

No. 95 "SENATE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF IMMUNITY FROM TORT LIABILITY AND RECOMMENDATIONS REGARDING SUCH PROVISIONS IN THE DEVELOPMENT OF PUBLIC POLICY."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary

No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PILOT PROGRAM WITHIN THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE THE FEASIBILITY OF CREATING A PERMANENT CENTRAL PANEL OF HEARINGS OFFICERS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means

No. 97 "SENATE CONCURRENT RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE."

Offered by: Senator Nakata.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 98 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF AN OFFICE OF WOMEN'S HEALTH IN THE DEPARTMENT OF HEALTH."

Offered by: Senators Chun Oakland, Buen, Hanabusa, Levin.

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

No. 99 "SENATE CONCURRENT RESOLUTION URGING THE HAWAII APPLESEED PUBLIC INTEREST LAW CENTER (HAWAII APPLESEED) TO CONTINUE ITS WORK ON A COMPREHENSIVE REVIEW OF HAWAII STATUTES RELATING TO CHILD PROTECTION."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Judiciary

No. 100 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS."

Offered by: Senators Chun Oakland, Chumbley, Matsunaga.

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

No. 101 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXAMINE SCHOOL POLICIES RELATING TO STUDENT VIOLENCE."

Offered by: Senator Chun Oakland.

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

No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A STUDY GROUP TO RECOMMEND ENVIRONMENTAL TAXES AND REDUCTION OF OTHER TAXES."

Offered by: Senator Levin.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD."

Offered by: Senator Levin.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES."

Offered by: Senator Levin.

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

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION."

Offered by: Senators Fukunaga, D. Ige.

No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CREATE ALTERNATIVES FOR STUDENTS AT MULTI-TRACK SCHOOLS DURING INTERIM PERIODS."

Offered by: Senator Iwase.

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF JAPAN'S IMPORT BEHAVIOR TO ASSIST AND IMPROVE THE EFFORTS OF HAWAII'S

BUSINESSES IN CONDUCTING BUSINESS WITH THAT COUNTRY."

Offered by: Senator Iwase.

No. 108 "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR CAYETANO TO DESIGNATE AN OFFICIAL STATE CONTACT TO WORK WITH THE FEDERAL GOVERNMENT ON ISSUES RELATED TO CEDED LANDS AND THE POLITICAL STATUS OF HAWAIIANS."

Offered by: Senators Hanabusa, Chun Oakland, Matsuura, Bunda, Chumbley, Chun, M. Ige, Ihara, Iwase.

No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING TO RELOCATION OF THE QUEEN LILI'UOKALANI STATUE TO THE 'IOLANI PALACE GROUNDS."

Offered by: Senators Hanabusa, Matsuura, Bunda, Chumbley, Chun, Chun Oakland, M. Ige, Ihara, Iwase.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 39 to 47) were read by the Clerk and were referred to committees or deferred:

Senate Resolution

No. 39 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A PILOT PROGRAM WITHIN THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE THE FEASIBILITY OF CREATING A PERMANENT CENTRAL PANEL OF HEARINGS OFFICERS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means

No. 40 "SENATE RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE."

Offered by: Senator Nakata.

Referred to: Committee on Labor and Environment, then to the Committee on Ways and Means

No. 41 "SENATE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS."

Offered by: Senators Chun Oakland, Chumbley.

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

No. 42 "SENATE RESOLUTION URGING THE ESTABLISHMENT OF AN OFFICE OF WOMEN'S HEALTH IN THE DEPARTMENT OF HEALTH."

Offered by: Senators Chun Oakland, Buen, Fukunaga, Hanabusa, Levin.

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

No. 43 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD."

Offered by: Senator Levin.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 44 "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES."

Offered by: Senator Levin.

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

No. 45 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION."

Offered by: Senators Fukunaga, D. Ige.

No. 46 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CREATE ALTERNATIVES FOR STUDENTS AT MULTI-TRACK SCHOOLS DURING INTERIM PERIODS."

Offered by: Senator Iwase.

No. 47 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF JAPAN'S IMPORT BEHAVIOR TO ASSIST AND IMPROVE THE EFFORTS OF HAWAII'S BUSINESSES IN CONDUCTING BUSINESS WITH THAT COUNTRY."

Offered by: Senator Iwase.

STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 909) recommending that the Senate advise and consent to the nomination of JUNE K. MOTOKAWA to the Civil Rights Commission, in accordance with Gov. Msg. No. 180.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 909 and Gov. Msg. No. 180 was deferred until Tuesday, March 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 910) recommending that the Senate advise and consent to the nomination of KEN H. TAKAYAMA to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 196.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 910 and Gov. Msg. No. 196 was deferred until Tuesday, March 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 911) recommending that the Senate advise and consent to the nominations of WILLIAM T. EMMSLEY, JR., and HARLOW M.S.L. URABE to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 216.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 911 and Gov. Msg. No. 216 was deferred until Tuesday, March 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 912) recommending that the Senate advise and consent to the nominations of JUDY SOBIN to the Crime Victim Compensation Commission, in accordance with Gov. Msg. No. 217.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 912 and Gov. Msg. No. 217 was deferred until Tuesday, March 16, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 908 (Gov. Msg. No. 185):

Senator Nakata moved that Stand. Com. Rep. No. 908 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of FREDERICK R. WARSHAUER to the Endangered Species Recovery Committee, term to expire June 30, 2003, seconded by Senator M. Ige.

Senator Nakata rose in support of the nominee and stated:

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

"Mr. Warshauer has been a devoted friend of the environment for at least the 15 years that I have known him. I know him to be a very dedicated and devoted supporter of the restoration of endangered species. I highly recommend him to this body.

"Thank you."

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

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Kanno, Kawamoto, Levin, Mizuguchi, Tam).

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 11, 1999:

Senate
Concurrent
Resolution

Referred to:

No. 67 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 68 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. 69 Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 70 Committee on Education and Technology, then to the Committee on Ways and Means

No. 71 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, 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 Thursday, March 11, 1999:

Senate
Resolution

Referred to:

No. 31 Committee on Health and Human Services, then to the Committee on Ways and Means

ADJOURNMENT

At 11:31 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 16, 1999.

THIRTY-FIRST DAY

Tuesday, March 16, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Norman Okasako, Mililani Missionary 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 Tam introduced the 1999 Narcissus Queen Leilani Hwei Tan, First Princess Karin Ying Ling Tran, Second Princess Christina Pei Jung Lin, Third Princess Lori Ann Wai Kin Wong, and Fourth Princess Nadia Tsai Ni Chiang. Accompanying the young ladies were Randall Chang and Frances Goo.

At this time, the President invited Narcissus Queen Leilani Tan to address the members of the Senate and appointed Senators Tam, Chun Oakland and Chun to escort her to the podium.

The Narcissus Queen addressed the members of the Senate as follows:

"Good morning, distinguished members of the Senate. It gives me great pleasure this morning to represent the Chinese Chamber of Commerce as well as the 1999 Court to be here on this special day. I would just like to share with you a few things that we are especially excited about this year as the 50th anniversary of the Chamber is being celebrated.

"Some of you may know that we are going on a goodwill tour in June for three weeks to China, Hongkong and Taiwan. This is a tour that the queen and her court will go on as well as members of the public, so I would like to personally invite all of you to join us on the tour if you are interested. We are going to be visiting different cities including Nanjing as well as Beijing and Guilin.

"Thank you very much for inviting us here today."

At 11:49 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. 235 to 246) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 235, submitting for consideration and confirmation to the Defender Council, the nominations of JACQUELINE K. MURAI, CALVIN K. MURASHIGE and GERONIMO VALDRIZ, terms to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Board of Trustees, Hawai'i Public Employees Health Fund, the nominations of: CLIFFORD T. UWAINÉ and DONNA L. KEKAUOHA, terms to expire June 30, 1999 and June 30, 2003; and BRUCE Y. NAKAMURA, term to expire June 30, 2000, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Hawai'i School-to-Work Opportunities Executive Council, the nominations of JOAN WHITE, W.

ROY JOHNSON, GERALD OKAMOTO, WILLIAM T. HONJIYO, DIANE ROSE MACHA, NORMAN JANICKI, JR., and KA'IULANI DE SILVA, terms to expire June 30, 2002, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of KATHLEEN K.S.L. THURSTON, terms to expire June 30, 1999 and June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nominations of: JOHN GOODY and FRANCIS I. SHIMANUKI, terms to expire June 30, 2000; KELVIN K.F. CHING and DAVID HIGGINS, terms to expire June 30, 2001; and KIM NICHOLAS HOLLAND, Ph.D., LYNN J. LEE and KURT K. MENCH, terms to expire June 30, 2002, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 240, submitting for consideration and confirmation to the Radiologic Technology Board, the nominations of: W. PHILIP KAU, D.V.M., term to expire June 30, 2001; and PATRICK MCGUIGAN and ANN A. OHATA, M.D., terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Board of Regents, University of Hawai'i, the nominations of BERT A. KOBAYASHI, AH QUON MCELRATH, CHARLES NAINOA THOMPSON, ALLAN K. IKAWA and SHARON R. WEINER, terms to expire June 30, 2003, was referred to the Committee on Education and Technology.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of HERMAN T. ANDAYA, JR., term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of CATHY AKEMI SHIM, term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 244, submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, the nomination of LEW GENE BROWN, term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 245, submitting for consideration and confirmation to the Board of Directors, Research Corporation of the University of Hawai'i, the nomination of CHRISTOPHER T. KOBAYASHI, term to expire June 30, 2003, was referred to the Committee on Education and Technology.

Gov. Msg. No. 246, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of ROGER BABCOCK JR., Ph.D., SOLOMON K. NAONE JR., JOSE M. PADRON and BERT UYENO, terms to expire June 30, 2003, was referred to the Committee on Labor and Environment.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 110 to 128) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE AN ADVISORY TASK FORCE ON PROMOTING CULTURAL DIVERSITY."

Offered by: Senators Kanno, Bunda, Inouye.

No. 111 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO STUDY THE USE OF GENETIC INFORMATION AND GENETIC TEST RESULTS FOR INSURANCE COVERAGE PURPOSES."

Offered by: Senators Kanno, Taniguchi.

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, THE HAWAII HEALTH SYSTEMS CORPORATION, THE HAWAII NURSES' ASSOCIATION AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING TO DEVELOP A PLAN THAT WILL ELIMINATE OR GREATLY REDUCE NEEDLESTICK INJURIES INCURRED BY NURSES AND OTHER HEALTH CARE WORKERS."

Offered by: Senators Taniguchi, Kanno.

No. 113 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, WITH THE ASSISTANCE OF THE HAWAII HEALTH SYSTEMS CORPORATION AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING, TO DEVELOP A PROGRAM ENABLING NURSES EMPLOYED BY THE STATE OF HAWAII TO OBTAIN ADVANCED NURSING DEGREES."

Offered by: Senators Taniguchi, Kanno.

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE NEED TO ESTABLISH AN OMBUDSMAN AT HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senators Mizuguchi, Kawamoto.

No. 115 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY."

Offered by: Senator Bunda.

No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE."

Offered by: Senator Bunda.

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY."

Offered by: Senator Levin.

No. 118 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP

WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE."

Offered by: Senator Levin.

No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO PROVIDE ALL HAWAII PUBLIC SCHOOL CHILDREN WITH THE OPPORTUNITY TO HAVE A NUTRITIOUS BREAKFAST."

Offered by: Senator Chun Oakland.

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HEALTH CARE COSTS RELATED TO THE TREATMENT OF BREAST AND CERVICAL CANCER IN HAWAII."

Offered by: Senator Chun Oakland.

No. 121 "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH."

Offered by: Senator Chun Oakland.

No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A HUNGER AND FOOD SECURITY TASK FORCE TO DEVELOP A SYSTEM FOR PROVIDING VALID AND RELIABLE ESTIMATES OF HUNGER AND FOOD INSECURITY."

Offered by: Senator Chun Oakland.

No. 123 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE INTEGRITY OF NEIGHBORHOODS BE PRESERVED BY REJECTING THE NOTION OF ONE WAY STREETS IN KALIHI-PALAMA."

Offered by: Senators Tam, Chun Oakland.

No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT LEGISLATION TO EXEMPT NON-PROFIT SCHOOL ORGANIZATIONS FROM THE GENERAL EXCISE TAX WHEN FUNDRAISING IN THE FURTHERANCE OF EDUCATIONAL PROGRAMS IN THE SCHOOLS."

Offered by: Senator Tam.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CONSIDER ESTABLISHING A DIPLOMATIC MEETING CENTER FOR VISITING EDUCATORS AND DIGNITARIES."

Offered by: Senator Tam.

No. 126 "SENATE CONCURRENT RESOLUTION REQUESTING THE USE OF THE HAWAII CONVENTION CENTER BY HAWAII STATE GOVERNMENT AGENCIES."

Offered by: Senator Tam.

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE IF HAWAII'S ADMINISTRATIVE PROCEDURE ACT AND PUBLIC AGENCY MEETINGS AND RECORDS LAWS ARE CURRENTLY DRAFTED TO ENSURE THAT DISCUSSIONS, DELIBERATIONS, DECISIONS, AND

ACTIONS OF THE GOVERNMENT ARE CONDUCTED AS OPENLY AS POSSIBLE."

Offered by: Senators Tam, Anderson, Hanabusa, Matsunaga, Matsuura.

No. 128 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO 35 TO 55 YEAR LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES."

Offered by: Senator Tam.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 48 to 56) were read by the Clerk and were deferred:

Senate Resolution

No. 48 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE AN ADVISORY TASK FORCE ON PROMOTING CULTURAL DIVERSITY."

Offered by: Senators Kanno, Bunda, Inouye.

No. 49 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO STUDY THE USE OF GENETIC INFORMATION AND GENETIC TEST RESULTS FOR INSURANCE COVERAGE PURPOSES."

Offered by: Senators Kanno, Taniguchi.

No. 50 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, THE HAWAII HEALTH SYSTEMS CORPORATION, THE HAWAII NURSES' ASSOCIATION AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING TO DEVELOP A PLAN THAT WILL ELIMINATE OR GREATLY REDUCE NEEDLESTICK INJURIES INCURRED BY NURSES AND OTHER HEALTH CARE WORKERS."

Offered by: Senators Taniguchi, Kanno.

No. 51 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, WITH THE ASSISTANCE OF THE HAWAII HEALTH SYSTEMS CORPORATION AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING, TO DEVELOP A PROGRAM ENABLING NURSES EMPLOYED BY THE STATE OF HAWAII TO OBTAIN ADVANCED NURSING DEGREES."

Offered by: Senators Taniguchi, Kanno.

No. 52 "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE NEED TO ESTABLISH AN OMBUDSMAN AT HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senators Mizuguchi, Kawamoto.

No. 53 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY."

Offered by: Senator Bunda.

No. 54 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE."

Offered by: Senator Bunda.

No. 55 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY."

Offered by: Senator Levin.

No. 56 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE."

Offered by: Senator Levin.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 909 (Gov. Msg. No. 180):

Senator Chumbley moved that Stand. Com. Rep. No. 909 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 JUNE K. MOTOKAWA to the Civil Rights Commission, terms to expire June 30, 1999 and June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 20. Noes, none. Excused, 5 (Fukunaga, D. Ige, Kawamoto, Levin, Taniguchi).

Stand. Com. Rep. No. 910 (Gov. Msg. No. 196):

Senator Chumbley moved that Stand. Com. Rep. No. 910 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 KEN H. TAKAYAMA to the Commission to Promote Uniform Legislation, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 20. Noes, none. Excused, 5 (Fukunaga, D. Ige, Kawamoto, Levin, Taniguchi).

Stand. Com. Rep. No. 911 (Gov. Msg. No. 216):

Senator Chumbley moved that Stand. Com. Rep. No. 911 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 WILLIAM T. EMMESLEY, JR., and HARLOW M.S.L. URABE to the Correctional Industries Advisory Committee, terms to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 20. Noes, none. Excused, 5 (Fukunaga, D. Ige, Kawamoto, Levin, Taniguchi).

Stand. Com. Rep. No. 912 (Gov. Msg. No. 217):

Senator Chumbley moved that Stand. Com. Rep. No. 912 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 JUDY SOBIN to the Crime Victim Compensation Commission, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 20. Noes, none. Excused, 5 (Fukunaga, D. Ige, Kawamoto, Levin, Taniguchi).

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege.

"At 5:30 this morning, I was reading the newspaper and my eye caught the editorial. I don't know if all of my colleagues had a chance to read it.

"Evidently, they believe that we should be making some changes. The thing that really struck me is that the Speaker of the House, Representative Calvin Say, talked to the Chamber of Commerce and he said it's hard to make changes because the legislature or government is like a huge ship. It takes a while to turn. That only happens if you have somebody at the helm who's strong enough. And let me tell you, we have been for 40 years on the same course and we don't have anybody at the helm that's willing to make changes.

"In fact, I read in the Pacific Business News and what we're looking at is they're already talking about the year 2002 on who the hell's gonna be governor, and who's not going to be governor. We just got over that, and they're talking about who's going to be the next governor.

"Well let me tell you, since Governor Burns, I've served with Governor Ariyoshi, who did one heck of a good job. He was probably a lot more prudent and a lot more conservative than I would have ever been. He left us almost a half-a-billion dollars, but with every facility that needed repairs, roads that needed maintenance. And then we had the next governor, Governor John Waihee -- good local boy, a cousin. We spent every dime we had and we left all of the buildings and the roads still in disrepair. Now we have a new governor and he's going to build more. And every department, when they cut the budget, they do away with the maintenance.

"If the people, the editors, can see that we need to turn that boat, we need somebody at the helm that's going to really turn that rudder a little bit. I don't see why we can't -- because we're the crew. And what do we do if somebody says we need this bill? -- maybe later, not now, things will be better. That's why I said the other day when I talked to the Republicans, I said they have been treading water. They don't know how to swim to shore because that boat is sinking.

"But I think that this editorial should be read by everybody, because as a crew, we're not doing our job, my fellow colleagues. We're failing. And the public sees it and everybody on the higher echelon is worrying about the year 2002. I'm worrying about tomorrow.

"And I did say we have lots of bills. We're half-way through. There are broad titles. There are amendments to make. There are changes we can do. We don't have to let this course go straight ahead like we've been doing. And I believe that the editors are absolutely correct. We need to get that to be changed a little bit.

"Thank you very much for listening to me."

ADJOURNMENT

At 12:01 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., Wednesday, March 17, 1999.

THIRTY-SECOND DAY

Wednesday, March 17, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Larry Engel, The Seventh-day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Tanaka who were excused.

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

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

Senators Kawamoto and D. Ige congratulated the Pearl City High School Boys Soccer Team on winning the title of Hawaii High School Athletic Association Boys Soccer Champions and introduced the following team members: Aaron Arakawa, co-captain; Anthony Makue, co-captain; Jonathan Bello; Dino Olegario; David Palafox; Charlton Phillips; and Charles Royce. Accompanying the young men were Coach Frank Baumholtz, Assistant Coach Kymberly Sparlin, and Athletic Director Roy Ichinose.

Senator D. Ige, with the assistance of Senators Slom and Chumbley, introduced Jolene Satsuki Muneno, Hawaii's 1999 Junior Miss; Kyleen Lei Ming Lee, First Runner-Up; and Tracy Darlene Lokelani Pickels, Second Runner-Up. Accompanying the young ladies was Corlis Chang, executive vice president of Hawaii's Junior Miss Program.

At 11:51 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.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 129 to 169) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES."

Offered by: Senator Inouye, by request.

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO."

Offered by: Senator Matsuura, by request.

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE DEPARTMENT OF EDUCATION'S LANGUAGE ARTS PROGRAM FOR THE HAWAII CREOLE ENGLISH SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY."

Offered by: Senator D. Ige.

No. 132 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS."

Offered by: Senator Inouye.

No. 133 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ENACTING A MEDICINAL CANNABIS (MARIJUANA) LAW IN LIGHT OF THE FEDERAL GOVERNMENT'S POWER TO SUPERSEDE CONFLICTING STATE LAWS."

Offered by: Senators Matsunaga, Chumbley.

No. 134 "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT OVERSIGHT COMMITTEE ON PRISON OPERATIONS AND SAFETY."

Offered by: Senators Chumbley, Matsunaga.

No. 135 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY."

Offered by: Senators Chumbley, Matsunaga.

No. 136 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF INCLUDING NATUROPATHIC COVERAGE IN THE PERSONAL INJURY PROTECTION BENEFITS OF THE MOTOR VEHICLE INSURANCE LAW."

Offered by: Senators Taniguchi, Kanno.

No. 137 "SENATE CONCURRENT RESOLUTION SUPPORTING DEVELOPMENT OF THE HIGH TECHNOLOGY INDUSTRY IN HAWAII."

Offered by: Senator Taniguchi.

No. 138 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DESIGNATION OF AN INDUSTRIAL PARK ON PUBLIC LANDS AT THE FORMER SITE OF THE OLOWALU SANITARY LANDFILL ON THE ISLAND OF MAUI."

Offered by: Senator Mizuguchi, by request.

No. 139 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS."

Offered by: Senator Kawamoto.

No. 140 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO 35 TO 55 YEAR LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES."

Offered by: Senators Hanabusa, Chun Oakland, Kanno, Matsuura, Chun, M. Ige, Inouye, Iwase, Nakata, Tam, Tanaka.

No. 141 "SENATE CONCURRENT RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES."

Offered by: Senators Kanno, Chun Oakland, Hanabusa, D. Ige, Inouye, Nakata, Tam, Taniguchi.

No. 142 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII HOUSING INDUSTRY."

Offered by: Senators Sakamoto, Chumbley, Chun, Fukunaga, Ihara, Kanno, Kawamoto, Levin, Tam, Taniguchi.

No. 143 "SENATE CONCURRENT RESOLUTION URGING THE CREATION OF A SYSTEM FOR LICENSING INDEPENDENT CONTRACTORS."

Offered by: Senators Sakamoto, Chun, Chun Oakland, D. Ige, Ihara, Iwase, Kawamoto, Slom.

No. 144 "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION."

Offered by: Senators Sakamoto, Chun Oakland, Iwase, Matsuura, Tanaka.

No. 145 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN."

Offered by: Senators Sakamoto, Chun Oakland, Iwase, Matsuura, Tanaka.

No. 146 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE."

Offered by: Senators Kanno, Taniguchi.

No. 147 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE PLANS."

Offered by: Senator Taniguchi, by request.

No. 148 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET FOR THE PURPOSE OF CONDUCTING A THOROUGH EVALUATION OF THE ALLEGED NEED FOR THE HAWAIIAN ELECTRIC COMPANY'S PROPOSED KAMOKU-PUKELE 138,000 VOLT ELECTRIC TRANSMISSION LINE PROJECT IN HONOLULU."

Offered by: Senators Ihara, Fukunaga, Taniguchi, Hanabusa.

No. 149 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS."

Offered by: Senator Chun Oakland.

No. 150 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN

SERVICES TO IMPLEMENT AND UTILIZE THE CHILDREN'S VILLAGE CONCEPT FOR OUT-OF-HOME PLACEMENT WHEN APPROPRIATE."

Offered by: Senator Chun Oakland.

No. 151 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION."

Offered by: Senator Chun Oakland.

No. 152 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM 'MEDICAL NECESSITY' TO DETERMINE THE MOST APPROPRIATE DEFINITION OF 'MEDICAL NECESSITY,' OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED."

Offered by: Senator Chun Oakland.

No. 153 "SENATE CONCURRENT RESOLUTION REQUESTING THAT NATUROPATHIC PHYSICIANS BE CONSIDERED AS EQUAL TO PHYSICIANS AND SURGEONS FOR PURPOSES OF HEALTH CARE PLANS AND HEALTH INSURANCE POLICIES."

Offered by: Senator Chun Oakland.

No. 154 "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A STUDY GROUP TO CONSIDER ENVIRONMENTAL TAX SHIFT POLICIES."

Offered by: Senator Levin.

No. 155 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO AUDIT THE HAWAII HURRICANE RELIEF FUND."

Offered by: Senator Levin.

No. 156 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE AGRIBUSINESS DEVELOPMENT CORPORATION TO PROMOTE THE SALE OF LOCALLY GROWN FRUITS AND VEGETABLES."

Offered by: Senator Levin.

No. 157 "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."

Offered by: Senators Levin, Chun, Matsunaga, Chumbley, Ihara, Kanno, Taniguchi, Fukunaga.

No. 158 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES."

Offered by: Senators Ihara, Taniguchi, Matsunaga, Chumbley, D. Ige, Fukunaga.

No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING EACH STATE AND COUNTY EXECUTIVE

DEPARTMENT AND AGENCY TO INCORPORATE APPLICATION COMPLETENESS PROVISIONS AND EXTENUATING CIRCUMSTANCES IN PREPARING RULES THAT SPECIFY A MAXIMUM TIME PERIOD TO GRANT OR DENY A BUSINESS OR DEVELOPMENT-RELATED PERMIT UNDER THE AUTOMATIC PERMIT APPROVAL LAW."

Offered by: Senators Nakata, Levin, Ihara, Kanno, Hanabusa, Taniguchi.

No. 160 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF WRITTEN CRITERIA TO ASSESS THE QUALIFICATIONS OF JUDICIAL APPLICANTS AND A FEASIBILITY STUDY ON MERIT PAY INCENTIVES FOR JUDGES AND JUSTICES."

Offered by: Senator Tam.

No. 161 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CARPENTERS' TRUST FUND AND OTHER UNION TRUST FUNDS TO WORK WITH THE CONSTRUCTION INDUSTRY EMPLOYERS TO RESOLVE DIFFERENCES OVER THE EMPLOYERS' OBLIGATION TO MAKE CONTRIBUTIONS TO THE UNION TRUST FUND."

Offered by: Senator Tam.

No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING EVERY STATE AGENCY CONSULT WITH THE STATE PROCUREMENT OFFICE BEFORE PURCHASING OR INSTALLING COMPUTER HARDWARE OR SOFTWARE."

Offered by: Senator Tam.

No. 163 "SENATE CONCURRENT RESOLUTION DESIGNATING THE ALA WAI CANAL AS THE INTERNATIONAL HOME OF HAWAIIAN OUTRIGGER CANOE PADDLING AND TRAINING."

Offered by: Senator Fukunaga.

No. 164 "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY."

Offered by: Senator Fukunaga.

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM."

Offered by: Senator Fukunaga.

No. 166 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF INTERNATIONAL SCIENCE TEACHER TRAINING CENTER."

Offered by: Senator Bunda.

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ENACT ORDINANCES TO IMPLEMENT A SYSTEM OF LAND VALUE TAXATION IN EACH COUNTY."

Offered by: Senator Bunda.

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE THE LANDS UNDER THE LEILEHUA GOLF COURSE TO BE SURPLUS TO THEIR NEEDS AND TO PROVIDE FOR THEIR RETURN TO THE STATE AS CEDED LANDS."

Offered by: Senator Bunda.

No. 169 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO TRANSFER THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII AT MANOA TO THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT UNIVERSITY OF HAWAII AT HILO."

Offered by: Senator Bunda.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 57 to 75) were read by the Clerk and were deferred:

Senate Resolution

No. 57 "SENATE RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO."

Offered by: Senator Matsuura, by request.

No. 58 "SENATE RESOLUTION SUPPORTING DEVELOPMENT OF THE HIGH TECHNOLOGY INDUSTRY IN HAWAII."

Offered by: Senator Taniguchi.

No. 59 "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS."

Offered by: Senator Kawamoto.

No. 60 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON WATER, LAND, AND HAWAIIAN AFFAIRS TO CONDUCT AN INVENTORY OF EARLY CHILDHOOD CARE SERVICES PROVIDED TO NATIVE HAWAIIANS."

Offered by: Senators Hanabusa, Mizuguchi.

No. 61 "SENATE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO 35 TO 55 YEAR LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES."

Offered by: Senators Hanabusa, Chun Oakland, Kanno, Matsuura, Chun, M. Ige, Inouye, Iwase, Nakata, Tam, Tanaka.

No. 62 "SENATE RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES."

Offered by: Senators Kanno, Chun Oakland, Hanabusa, D. Ige, Inouye, Nakata, Tam, Taniguchi.

No. 63 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET FOR THE PURPOSE OF CONDUCTING A THOROUGH EVALUATION OF THE ALLEGED NEED FOR THE HAWAIIAN ELECTRIC COMPANY'S PROPOSED KAMOKU-PUKELE 138,000 VOLT ELECTRIC TRANSMISSION LINE PROJECT IN HONOLULU."

Offered by: Senators Ihara, Fukunaga, Taniguchi, Hanabusa.

No. 64 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE AGRIBUSINESS DEVELOPMENT CORPORATION TO PROMOTE THE SALE OF LOCALLY GROWN FRUITS AND VEGETABLES."

Offered by: Senator Levin.

No. 65 "SENATE 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."

Offered by: Senators Levin, Chun, Matsunaga, Chumbley, Ihara, Kanno, Fukunaga, Taniguchi.

No. 66 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES."

Offered by: Senators Ihara, Taniguchi, Matsunaga, Chumbley, D. Ige, Fukunaga.

No. 67 "SENATE RESOLUTION REQUESTING EACH STATE AND COUNTY EXECUTIVE DEPARTMENT AND AGENCY TO INCORPORATE APPLICATION COMPLETENESS PROVISIONS AND EXTENUATING CIRCUMSTANCES IN PREPARING RULES THAT SPECIFY A MAXIMUM TIME PERIOD TO GRANT OR DENY A BUSINESS OR DEVELOPMENT-RELATED PERMIT UNDER THE AUTOMATIC PERMIT APPROVAL LAW."

Offered by: Senators Nakata, Levin, Ihara, Kanno, Taniguchi, Hanabusa.

No. 68 "SENATE RESOLUTION REQUESTING PUBLIC NOTIFICATION OF THE VARIOUS ROLES INVOLVED IN THE PROMOTION OF PUBLIC EDUCATION."

Offered by: Senator Tam.

No. 69 "SENATE RESOLUTION REQUESTING A REVIEW OF THE CONDITIONS OF THE CAPITOL REFLECTING POND."

Offered by: Senator Tam.

No. 70 "SENATE RESOLUTION REVIEWING INEFFICIENCY OF GOVERNMENT OPERATIONS CAUSED BY DELAYED SERVICES TO STATE AGENCIES AND DEPARTMENTS."

Offered by: Senators Tam, Matsuura, Hanabusa, Chun, Anderson, Slom, M. Ige.

No. 71 "SENATE RESOLUTION DESIGNATING THE ALA WAI CANAL AS THE INTERNATIONAL HOME OF

HAWAIIAN OUTRIGGER CANOE PADDLING AND TRAINING."

Offered by: Senator Fukunaga.

No. 72 "SENATE RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY."

Offered by: Senator Fukunaga.

No. 73 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM."

Offered by: Senator Fukunaga.

No. 74 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF INTERNATIONAL SCIENCE TEACHER TRAINING CENTER."

Offered by: Senator Bunda.

No. 75 "SENATE RESOLUTION REQUESTING THE COUNTIES TO ENACT ORDINANCES TO IMPLEMENT A SYSTEM OF LAND VALUE TAXATION IN EACH COUNTY."

Offered by: Senator Bunda.

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Monday, March 15, 1999 and Tuesday, March 16, 1999:

Senate Concurrent Resolution	Referred to:
No. 105	Committee on Education and Technology, then to the Committee on Ways and Means
No. 106	Committee on Education and Technology, then to the Committee on Ways and Means
No. 107	Committee on Economic Development, then to the Committee on Ways and Means
No. 108	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 109	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 110	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 111	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services
No. 112	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology

- No. 113 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 114 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 115 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 116 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 117 Committee on Economic Development, then to the Committee on Ways and Means
- No. 118 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs
- No. 119 Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 120 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 121 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 122 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 123 Committee on Transportation and Intergovernmental Affairs
- No. 124 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 125 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 126 Committee on Economic Development, then to the Committee on Ways and Means
- No. 127 Committee on Judiciary, then to the Committee on Ways and Means
- No. 128 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Monday, March 15, 1999 and Tuesday, March 16, 1999:

- | | |
|-------------------|--|
| Senate Resolution | Referred to: |
| No. 45 | Committee on Education and Technology, then to the Committee on Ways and Means |
| No. 46 | Committee on Education and Technology, then to the Committee on Ways and Means |
| No. 47 | Committee on Economic Development, then to the Committee on Ways and Means |

- No. 48 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 49 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services
- No. 50 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology
- No. 51 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 52 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 53 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 54 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 55 Committee on Economic Development, then to the Committee on Ways and Means
- No. 56 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

- | | |
|------------------|--|
| House Bill | Referred to: |
| No. 10 | Committee on Transportation and Intergovernmental Affairs |
| No. 287, H.D. 1 | Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means |
| No. 830, H.D. 1 | Committee on Economic Development, then to the Committee on Commerce and Consumer Protection |
| No. 1043, H.D. 1 | Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means |
| No. 1067, H.D. 2 | Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means |
| No. 1198, H.D. 1 | Committee on Education and Technology, then to the Committee on Ways and Means |

At this time, President Mizuguchi made the following observation:

"Hilo not only produces great athletes and great legislators, but they also produce wonderful flowers. I'd like to thank the Senator from the Hamakua-Hilo district for the lovely St. Patrick's Day gifts. Mahalo."

**SENATE CONCURRENT RESOLUTIONS
SENATE RESOLUTIONS**

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive

Senate concurrent resolutions and Senate resolutions prior to 5:00 o'clock p.m. In consequence thereof, and subsequent to its recessing at 11:58 o'clock a.m., the following resolutions were received and deferred:

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution

No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH WORKING GROUPS ON EACH ISLAND TO IDENTIFY, EXAMINE, AND RESOLVE OUTSTANDING LAND USE ISSUES AND THEIR IMPACT ON THE HAWAIIAN AND NATIVE HAWAIIAN PEOPLES AND THEIR CULTURE."

Offered by: Senator Chun.

No. 171 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE ARTS INTO STATE SPECIAL EDUCATION PROGRAMS."

Offered by: Senator Fukunaga.

No. 172 "SENATE CONCURRENT RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST."

Offered by: Senator Ihara.

No. 173 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ISSUES RELATING TO CONDOMINIUMS."

Offered by: Senators Ihara, Tam.

No. 174 "SENATE CONCURRENT RESOLUTION REQUESTING PROFESSIONAL RECOGNITION OF NATUROPATHIC PHYSICIANS."

Offered by: Senator Ihara, by request.

No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO RENAME THE HAWAII YOUTH SPORT AND FITNESS PROGRAM TO THE HAWAII YOUTH ACADEMY."

Offered by: Senator M. Ige.

No. 176 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PARTNER WITH BISHOP MUSEUM FOR RESEARCH ASSISTANCE."

Offered by: Senator M. Ige.

No. 177 "SENATE CONCURRENT RESOLUTION REQUESTS THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES ENGAGED IN THE TOURISM INDUSTRY."

Offered by: Senators Sakamoto, Buen, Hanabusa, Inouye, Slom.

No. 178 "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN."

Offered by: Senators Chun, Sakamoto.

No. 179 "SENATE CONCURRENT RESOLUTION URGING MORE PUBLIC EDUCATION ON THE MERITS OF VOLUNTEER SERVICE AND ON EFFECTIVE METHODS FOR RECRUITING AND RETAINING VOLUNTEERS."

Offered by: Senator Sakamoto.

No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO REPORT ON PLANS FOR THE IMPROVEMENT OF MARINE EDUCATION."

Offered by: Senators Sakamoto, Bunda, Ihara, Kanno, Slom.

No. 181 "SENATE CONCURRENT RESOLUTION REQUESTING A CONCERTED EFFORT TO PROVIDE INCREASED FUNDING FOR FEDERALLY CONNECTED STUDENTS ATTENDING HAWAII'S PUBLIC SCHOOLS."

Offered by: Senators Sakamoto, Bunda, Ihara, Kanno, Slom.

No. 182 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO REPORT ON TERRORIST INCIDENT PREPAREDNESS CAPABILITIES."

Offered by: Senator Matsuura.

No. 183 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS LEGISLATION ALLOWING INDIVIDUAL STATES TO DETERMINE THEIR OWN POLICIES WITH REGARD TO MEDICINAL CANNABIS (AKA MARIJUANA)."

Offered by: Senators Chumbley, Matsunaga.

No. 184 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE PREVENTION."

Offered by: Senators Chumbley, Matsunaga.

No. 185 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE RESTORATION OF MOKU'ULA AND LOKO O MOKUHINIA."

Offered by: Senators Chumbley, Hanabusa, Buen.

No. 186 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COUNCIL OF PRIVATE SCHOOLS TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES."

Offered by: Senator Chumbley.

No. 187 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO BAN ANY FURTHER TESTS OF THE LOW FREQUENCY ACTIVE SONAR SYSTEM IN HAWAIIAN WATERS."

Offered by: Senator Tanaka.

No. 188 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES."

Offered by: Senators Kanno, Taniguchi.

No. 189 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO INFORM THE LEGISLATURE ON THE FINDINGS AND

RECOMMENDATIONS OF THE NATIONAL PARTNERSHIPS FOR REINVENTING GOVERNMENT."

Offered by: Senator Chun Oakland.

No. 190 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT BY THE LEGISLATURE FOR THE COASTAL EROSION MANAGEMENT PLAN OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senator Chun Oakland.

No. 191 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PASS LAWS TO PROHIBIT AMERICAN COMPANIES FROM MANUFACTURING GOODS USING CHILD LABOR OR FROM PURCHASING GOODS FROM FOREIGN MANUFACTURERS THAT USE CHILD LABOR."

Offered by: Senator Chun Oakland.

No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE BOARD OF EDUCATION TO ADOPT A POLICY OF LEASING COMPUTER EQUIPMENT."

Offered by: Senator Chun Oakland.

No. 193 "SENATE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW AND IDENTIFY THE RESOURCES NECESSARY TO ENSURE A PATIENT'S RIGHT TO SAFETY AND QUALITY NURSING CARE IN HOSPITALS, CLINICS, AND HOME HEALTH CARE SETTINGS."

Offered by: Senator Chun Oakland.

No. 194 "SENATE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS."

Offered by: Senator Chun Oakland.

No. 195 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES."

Offered by: Senator Inouye.

No. 196 "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO PROVIDE SERVICES FOR HOMELESS HAWAIIANS."

Offered by: Senator Inouye.

No. 197 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII AT HILO ESTABLISH A DEGREE IN HEALTH, PHYSICAL EDUCATION, AND RECREATION THAT INCLUDES A TRANSCULTURAL HEALTH, FITNESS, AND WELLNESS CENTER FOR THE STUDY OF HEALTH AND WELLNESS FROM AN ASIAN, POLYNESIAN, AND WESTERN PERSPECTIVE."

Offered by: Senator Inouye.

No. 198 "SENATE CONCURRENT RESOLUTION SUPPORTING THE ABRACADABRA 2000, WAIKIKI YACHT CLUB'S ALOHA RACING CHALLENGE TO THE ROYAL NEW ZEALAND YACHT SQUADRON FOR AMERICA'S CUP XXX."

Offered by: Senator Inouye.

No. 199 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)."

Offered by: Senator Mizuguchi, by request.

No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING AN INVENTORY OF THE PUBLIC LAND TRUST AND ESTABLISHMENT OF A JOINT COMMITTEE."

Offered by: Senators Hanabusa, Buen, Matsunaga, Matsuura, Nakata, Sakamoto.

No. 201 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS."

Offered by: Senator Nakata.

No. 202 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII."

Offered by: Senator Nakata.

No. 203 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO MAKE AN APPROPRIATION TO FUND HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE."

Offered by: Senator Matsuura.

No. 204 "SENATE CONCURRENT RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE."

Offered by: Senator Bunda.

No. 205 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS AND THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO ESTABLISH A SOCCER PROGRAM AND PROVIDE SCHOLARSHIPS THEREFOR."

Offered by: Senator Bunda.

No. 206 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO SEEK THE CREATION OF A MULTI-PURPOSE SPORTS COMPLEX."

Offered by: Senators Bunda, Chun, Inouye, Matsuura, Tam.

No. 207 "SENATE CONCURRENT RESOLUTION REQUESTING TO DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII COMMUNITY DEVELOPMENT ASSOCIATION

TO COMMUNICATE TO THE DIRECTOR OF TRANSPORTATION THEIR INTENTIONS REGARDING PIER 2 AT HONOLULU HARBOR."

Offered by: Senator Bunda.

No. 208 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPARE HAWAII'S ELECTION SYSTEM WITH THAT OF OTHER STATES."

Offered by: Senators Matsunaga, Chumbley, Hanabusa.

No. 209 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING NEIGHBORHOOD BOARD COMMITTEE ACTIVITIES AND THE APPLICABILITY OF THE 'SUNSHINE LAW'."

Offered by: Senator Taniguchi, by request.

No. 210 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECONSIDER ITS TIMETABLE FOR IMPLEMENTATION OF THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS."

Offered by: Senator Taniguchi.

No. 211 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE ESTABLISHING A PARTNERSHIP WITH THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE TO EXPLORE THE POTENTIAL RESEARCH, EDUCATIONAL, AND ECONOMIC OPPORTUNITIES OF JOHNSTON ATOLL."

Offered by: Senator Sakamoto.

No. 212 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE NAVY AT PEARL HARBOR, THE CITY AND COUNTY OF HONOLULU, AND THE AIEA NEIGHBORHOOD BOARD NO. 20 TO PLAN AND IMPLEMENT A PROGRAM TO BEAUTIFY THE GATEWAY INTO AIEA."

Offered by: Senator Sakamoto.

No. 213 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FORMALLY ESTABLISH A MULTICULTURAL AWARENESS TASK FORCE."

Offered by: Senator Tam.

No. 214 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT WORKSHOPS FOR EDUCATION ASSISTANTS IN SPECIAL EDUCATION CLASSROOMS TO ADDRESS IMPORTANT ISSUES IN SPECIAL EDUCATION."

Offered by: Senator Tam.

No. 215 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO DISALLOW STATE EMPLOYEES FROM DRIVING HOME STATE-OWNED VEHICLES."

Offered by: Senator Tam.

No. 216 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW THE SALARY OF THE ASSISTANT LIBRARIAN FOR THE HAWAII PUBLIC LIBRARY SYSTEM TO ENSURE THAT COMPENSATION FOR THE POSITION IS FAIR AND EQUITABLE."

Offered by: Senator Tam.

No. 217 "SENATE CONCURRENT RESOLUTION REQUESTING IMPROVEMENTS TO THE HONOKOHAU HARBOR ON THE ISLAND OF HAWAII."

Offered by: Senators Inouye, Levin.

No. 218 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A THOROUGH INVESTIGATION OF THE CURRENT SCIENTIFIC RESEARCH ON ALTERNATIVE MEDICINE TO DETERMINE THE BENEFITS AND HARMFUL EFFECTS, IF ANY, AND THE EFFICACY OR INEFFECTIVENESS, AS THE CASE MAY BE, OF THE VARIOUS FORMS OF ALTERNATIVE MEDICINE."

Offered by: Senator Nakata, by request.

No. 219 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY GIFT-GIVING BY COURT REPORTERS."

Offered by: Senator Levin.

No. 220 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE LANGUAGE, IMPLEMENTATION, AND EFFECTIVENESS OF MEDICINAL CANNABIS LAWS IN OTHER STATES."

Offered by: Senator Levin.

No. 221 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES FORMULATE A HUNTING LICENSE CATEGORY FOR FOREIGN HUNTERS, UTILIZING LICENSED GUIDES ON PRIVATE LAND."

Offered by: Senator Levin.

No. 222 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF PROJECT MA'ALO AND RECOMMENDATIONS ON WHETHER IT SHOULD BE ESTABLISHED AT THE UNIVERSITY OF HAWAII-HILO OR ELSEWHERE."

Offered by: Senator Levin.

No. 223 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO WORK WITH AND SEEK ASSISTANCE FROM COUNTY WATER SUPPLY AGENCIES AND PUBLIC UTILITY COMPANIES IN SOLICITING DONATIONS TO SUPPORT THE SERVICES OF THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Offered by: Senator Levin.

No. 224 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE INSURANCE EQUALITY LAWS OF THE STATE OF WASHINGTON."

Offered by: Senator Levin.

No. 225 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO

OPEN A DOCKET ON SLAMMING, CRAMMING, AND OTHER TELEPHONE ABUSES."

Offered by: Senator Kanno.

SENATE RESOLUTIONS

Senate Resolution

No. 76 "SENATE RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH WORKING GROUPS ON EACH ISLAND TO IDENTIFY, EXAMINE, AND RESOLVE OUTSTANDING LAND USE ISSUES AND THEIR IMPACT ON THE HAWAIIAN AND NATIVE HAWAIIAN PEOPLES AND THEIR CULTURE."

Offered by: Senator Chun.

No. 77 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE ARTS INTO STATE SPECIAL EDUCATION PROGRAMS."

Offered by: Senator Fukunaga.

No. 78 "SENATE RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST."

Offered by: Senator Ihara.

No. 79 "SENATE RESOLUTION REQUESTING A STUDY ON ISSUES RELATING TO CONDOMINIUMS."

Offered by: Senators Ihara, Tam.

No. 80 "SENATE RESOLUTION REQUESTING PROFESSIONAL RECOGNITION OF NATUROPATHIC PHYSICIANS."

Offered by: Senator Ihara, by request.

No. 81 "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN."

Offered by: Senators Chun, Sakamoto.

No. 82 "SENATE RESOLUTION ENCOURAGING THE RESTORATION OF MOKU'ULA AND LOKO O MOKUHINIA."

Offered by: Senators Chumbley, Buen, Hanabusa.

No. 83 "SENATE RESOLUTION REQUESTING THE HAWAII COUNCIL OF PRIVATE SCHOOLS TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES."

Offered by: Senator Chumbley.

No. 84 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO BAN ANY FURTHER TESTS OF THE LOW FREQUENCY ACTIVE SONAR SYSTEM IN HAWAIIAN WATERS."

Offered by: Senator Tanaka.

No. 85 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES."

Offered by: Senators Kanno, Taniguchi.

No. 86 "SENATE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE."

Offered by: Senators Kanno, Taniguchi.

No. 87 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS."

Offered by: Senator Nakata.

No. 88 "SENATE RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII."

Offered by: Senator Nakata.

No. 89 "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO MAKE AN APPROPRIATION TO FUND HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE."

Offered by: Senator Matsuura.

No. 90 "SENATE RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN."

Offered by: Senators Matsuura, Sakamoto.

No. 91 "SENATE RESOLUTION REQUESTING A CONCERTED EFFORT TO PROVIDE INCREASED FUNDING FOR FEDERALLY CONNECTED STUDENTS ATTENDING HAWAII'S PUBLIC SCHOOLS."

Offered by: Senators Matsuura, Sakamoto.

No. 92 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO TRANSFER THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII AT MANOA TO THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT UNIVERSITY OF HAWAII AT HILO."

Offered by: Senator Bunda.

No. 93 "SENATE RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE."

Offered by: Senator Bunda.

No. 94 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE PLANS."

Offered by: Senator Taniguchi, by request.

No. 95 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING NEIGHBORHOOD BOARD COMMITTEE ACTIVITIES AND THE APPLICABILITY OF THE 'SUNSHINE LAW'."

Offered by: Senator Taniguchi, by request.

No. 96 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECONSIDER ITS TIMETABLE FOR IMPLEMENTATION OF THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS."

Offered by: Senator Taniguchi.

No. 97 "SENATE RESOLUTION REQUESTING PREPARATION OF AN ARCHITECTURAL PLAN WHICH INCLUDES THE PARTICIPATION OF THE COMMUNITY PRIOR TO ESTABLISHING MIDDLE SCHOOLS."

Offered by: Senator Tam.

No. 98 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND HOUSING TO ASSESS PRODUCTIVITY AND EFFICIENCY IN STATE AND COUNTY GOVERNMENT."

Offered by: Senator Tam.

No. 99 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET ON SLAMMING, CRAMMING, AND OTHER TELEPHONE ABUSES."

Offered by: Senator Kanno.

ADJOURNMENT

At 5:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, March 18, 1999.

THIRTY-THIRD DAY

Thursday, March 18, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mrs. Leelamma Palazzotto, Program Director of the Office of Social Ministry, Roman Catholic Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Fukunaga, D. Ige and Iwase who were excused.

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

ORDER OF THE DAY

REFERRAL OF
SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, March 17, 1999:

Senate
Concurrent
Resolution

Referred to:

No. 129 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 130 Committee on Transportation and Intergovernmental Affairs

No. 131 Committee on Education and Technology, then to the Committee on Ways and Means

No. 132 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Labor and Environment

No. 133 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 134 Committee on Judiciary, then to the Committee on Ways and Means

No. 135 Committee on Judiciary, then to the Committee on Ways and Means

No. 136 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 137 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 138 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs

No. 139 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. 140 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. 141 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 142 Jointly to the Committee on Government Operations and Housing and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 143 Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 144 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. 145 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 146 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 147 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 148 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 149 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 150 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 151 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 152 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection

No. 153 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 154 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 155 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 156 Committee on Economic Development, then to the Committee on Ways and Means

No. 157 Committee on Ways and Means

No. 158 Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 159 Jointly to the Committee on Commerce and Consumer Protection, the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 160 Committee on Judiciary, then to the Committee on Ways and Means

No. 161 Committee on Labor and Environment

- No. 162 Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 163 Committee on Economic Development
- No. 164 Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Education and Technology
- No. 165 Committee on Economic Development, then to the Committee on Ways and Means
- No. 166 Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 167 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 168 Committee on Transportation and Intergovernmental Affairs
- No. 169 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 170 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 171 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 172 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 173 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 174 Committee on Commerce and Consumer Protection
- No. 175 Committee on Education and Technology
- No. 176 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 177 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 178 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. 179 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 180 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 181 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 182 Committee on Transportation and Intergovernmental Affairs
- No. 183 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 184 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 185 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 186 Committee on Education and Technology
- No. 187 Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
- No. 188 Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, 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 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 191 Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
- No. 192 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 193 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 194 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 195 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 196 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 197 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 198 Committee on Economic Development, then to the Committee on Ways and Means
- No. 199 Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 200 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 201 Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection
- No. 202 Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 203 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 204 Committee on Economic Development, then to the Committee on Ways and Means
- No. 205 Committee on Education and Technology, then to the Committee on Ways and Means

No. 206	Committee on Economic Development, then to the Committee on Ways and Means	Senate Resolution	Referred to:
No. 207	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs	No. 57	Committee on Transportation and Intergovernmental Affairs
No. 208	Committee on Judiciary, then to the Committee on Ways and Means	No. 58	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 209	Committee on Judiciary, then to the Committee on Ways and Means	No. 59	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. 210	Committee on Education and Technology, then to the Committee on Ways and Means	No. 60	Committee on Water, Land, and Hawaiian Affairs
No. 211	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Transportation and Intergovernmental Affairs	No. 61	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. 212	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 62	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 213	Committee on Education and Technology, then to the Committee on Ways and Means	No. 63	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 214	Committee on Education and Technology, then to the Committee on Ways and Means	No. 64	Committee on Economic Development, then to the Committee on Ways and Means
No. 215	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 65	Committee on Ways and Means
No. 216	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 66	Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 217	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means	No. 67	Jointly to the Committee on Commerce and Consumer Protection, the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 218	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 68	Committee on Education and Technology
No. 219	Committee on Judiciary, then to the Committee on Ways and Means	No. 69	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 220	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 70	Committee on Government Operations and Housing
No. 221	Committee on Economic Development, then to the Committee on Ways and Means	No. 71	Committee on Economic Development
No. 222	Committee on Education and Technology, then to the Committee on Ways and Means	No. 72	Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Education and Technology
No. 223	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 73	Committee on Economic Development, then to the Committee on Ways and Means
No. 224	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 74	Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 225	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 75	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
		No. 76	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
		No. 77	Committee on Education and 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 Wednesday, March 17, 1999:

- No. 78 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 79 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 80 Committee on Commerce and Consumer Protection
- No. 81 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. 82 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 83 Committee on Education and Technology
- No. 84 Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
- No. 85 Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 86 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 87 Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection
- No. 88 Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 89 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 90 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 91 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 92 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 93 Committee on Economic Development, then to the Committee on Ways and Means
- No. 94 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 95 Committee on Judiciary, then to the Committee on Ways and Means
- No. 96 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 97 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 98 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 99 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

- | House Bill | Referred to: |
|------------------|---|
| No. 162, H.D. 1 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1497, H.D. 1 | Committee on Judiciary |

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

- | Senate Concurrent Resolution | Referred to: |
|------------------------------|--|
| No. 81 | Committee on Judiciary |
| No. 96 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means |

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following resolutions that were offered:

- | Senate Resolution | Referred to: |
|-------------------|--|
| No. 36 | Committee on Judiciary |
| No. 39 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means |

Senator Chumbley rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and members, I think today it's appropriate to note something about history, and given the fact we have so many students with us today, I think that this issue is noteworthy.

"March 18, 1959 is an important day. Forty years ago today, President Eisenhower signed the Statehood Bill and made the State of Hawaii the 50th State in the nation. So, for all the students, please remember that. That's an important date, March 18, 1959 -- Hawaii became the 50th State in the nation.

"Thank you, Mr. President."

ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 19, 1999.

THIRTY-FOURTH DAY

Friday, March 19, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Francine Grace, St. Francis Hospice, after which the Roll was called showing all Senators present with the exception of Senator Inouye who was 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. 247 and 248) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 247, submitting for consideration and consent, the nomination of GARY W.B. CHANG to the office of Judge, 14th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

Gov. Msg. No. 248, submitting for consideration and consent, the nomination of JOSEPH E. CARDOZA to the office of Third Judge, Circuit Court of the Second Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 913) recommending that H.B. No. 133 pass Second Reading and 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.B. No. 133, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE SMALL BUSINESS DEFENDER POSITION AND OTHER SUPPORT PERSONNEL ESTABLISHED UNDER ACT 168, SESSION LAWS OF HAWAII 1998," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 914) recommending that H.B. No. 221, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 221, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 915) recommending that H.B. No. 801, H.D. 1, pass Second Reading and 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.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR

PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 916) recommending that H.B. No. 1013 pass Second Reading and 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.B. No. 1013, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," passed Second Reading and 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. 917) recommending that H.B. No. 1114, H.D. 1, pass Second Reading and 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.B. No. 1114, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 918) recommending that H.B. No. 1675, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1675, 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 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. 919) recommending that the Senate advise and consent to the nominations of DOUGLAS WON and LYNNE WATERS to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 186.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 919 and Gov. Msg. No. 186 was deferred until Monday, March 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 920) recommending that the Senate advise and consent to the nominations of HENRY CHO Sr., and JOHN A.H. TOMOSO to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 189.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 920 and Gov. Msg. No. 189 was deferred until Monday, March 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 921) recommending that the Senate advise and consent to the nomination of JAMES K. TSUGAWA to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 220.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 921 and Gov. Msg. No. 220 was deferred until Monday, March 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 922) recommending that the Senate advise and consent to the nomination of STANLEY H. ROEHRIG to the Land Use Commission, in accordance with Gov. Msg. No. 221.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 922 and Gov. Msg. No. 221 was deferred until Monday, March 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 923) recommending that the Senate advise and consent to the nomination of REGINALD E. DAVID to the Natural Area Reserves System Commission, in accordance with Gov. Msg. No. 223.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 923 and Gov. Msg. No. 223 was deferred until Monday, March 22, 1999.

At 11:47 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.

STANDING COMMITTEE REPORT

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 924) recommending that H.B. No. 1151, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1151, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 22, 1999.

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

Senator Anderson 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 say that yesterday morning (since I am an early riser) at about 5:30 I saw the newspaper and it said, 'Bid to oust leaders falls short in Senate,' and a picture of our colleague, Senator Hanabusa. It more or less said that some people were upset and they called them 'dissidents.' Being upset that I was, I looked up the word 'dissident' in my encyclopedia dictionary, and it said, 'More likely it would come from a citizen who is upset with a one-party state.' And I think we have that. Then I looked it up in the Webster's dictionary and that said, 'one who disagrees.' I don't think that's a bad thing to say -- that we disagree.

"What bothered me again is that on KCCN, Mr. Bob Jones stated that the overthrow was to get rid of the President of the Senate. And that's far from the truth, Mr. President. I signed that particular bill or letter that went around, and it wasn't with any animosity against anyone.

"I've been saying for years that I think that we're doing a poor job. We get a lot of openness that we're having here. I remember years back when I was in the House, we wanted to get away from the back door or closed meetings, and we wanted a sunshine law. We invited the community in. Not one person would say a bloody word. And as soon as the community left, they said 'I don't like the bill.' So the chairman was stuck with holding it and taking the flack for that.

"In 1992 I had a bill enabling legislation for a lottery for the counties because the Mayor at that time was looking at mass transit that we couldn't afford. Also, he was going to allow a half percent, or we were going to allow a half percent on the gross income. Well, the bill died and I decided to run for mayor. I could have run for the House and probably won -- I'm not sure.

"When I got appointed by the Governor for the Senate, I found out that a lot of this openness came to the Senate. We now vote in public, which sounds great to the public, but it's only those people that come here either from the departments or a particular group of special interest -- whatever special interest they might have -- that is really concerned. And what do we do? We need a quorum in which to pass a bill. And the reason we did this, my understanding is that the chairman used to have too much power. So now we have this voting in public. We used to circulate a bill like this, even if two people were in that committee. The staff could go ahead and write up a bill and we had, the same as we do now, where we can vote for, with reservations, or against. I think that's fair. I don't see that it's taken away any power from any chairman because even when we have a quorum, we defer. And that's bad.

"We talked about the Majority party wanting to help the economy. Well, we haven't passed anything to help the economy and that's why I think the freshmen, they're not young people, they're people who made promises to their constituents that we'd move forward -- and we haven't. And I think that's what they were looking at.

"We have, or I have, stood on this floor many times as you may have remembered. I said we have a referendum that was never used since 1939. I've put in all kinds of bills for gambling and so did other people. It's not your right to say that you don't want it, or your mother, or your grandmother, or you, personally, because of your church. You represent the people. And a referendum allows them to vote and it's only an advisory referendum, but it would certainly help the economy.

"Then I read, 'Union, no cuts, no way for TV.' And that's on Baywatch. And that upset me yesterday. I think they should be able to come up to a good compromise because the economy is down. And if you remember, years ago the unions were very proud. They said, 'We have the highest paid plantation workers in the world.' Today, my colleagues, we have the highest paid unemployed workers in the world, and we're in trouble.

"We sit here and we sort of smile and pass things, and it never really happens. I read the paper. 'Hawaiians are getting everything. Why should we pay for their tuition up at the University?' I said those who can pay should pay. There's a safety net for those who could not afford it, but if they pass everything, the Hawaiians should have first preference to go to the University.

"Yesterday, we got another report on Hawaiian Homes. They're still not getting the payments on their water -- haven't for years. The Department of Land and Natural Resources and Hawaiian Homes aren't at fault. OHA -- we wrote them under the same bills that the federal government did. Only those of 50 percent or more can be taken care of. So those people who write to the newspapers and say those Hawaiians have so much, they forget it's a very small group that we can help. And even those are not getting it because the ceded lands are not really getting any revenue. They're all in court. Hawaiian Homes has very little money. They can't do the infrastructure.

"And everybody sits here and they say we've got to make changes. This morning in Ways and Means, we had this bill that we just passed, 'A Bill for an Act Making an Emergency Appropriation for Child and Adolescent Mental Health Division.' Every year -- emergency funds for the Department of Health -- millions and millions of dollars. They're poorly administrated. And that's what the report said. It didn't say not

to give them; that they couldn't get the money; or that we shouldn't take care of these people. It talks about the administration and what's not happening. Year after year we get a report. That's our auditor. We talked about it. We passed bills. Then we do nothing -- absolutely nothing -- just like we've done with Hawaiian Homes, because I get these every year and have since 1978.

"That's the frustrating part, Mr. President. I want you to know that as far as I'm concerned, with everything that I've read about dissidents and the openness that we have here -- we have, I guess, the internet that's open to the public -- but they don't tell you that when you go in that closed door in the back there and you have all the fights in the world about how you like a bill or hate it. It doesn't come out on this floor; very little discussion is out on this floor. Senator Slom and I don't mind. That's why I don't mind signing a bill. I don't have to vote in public. I'll certainly go ahead and express myself on this floor.

"I think that we're doing a disservice, and I would hope that each one of you, if you believe in what you said on opening day that you want to help the economy, you want to move forward. We have all kinds of bills. I'm not saying to pass Whitney Anderson's bills or Senator Slom's bills, or that particular person's bills. I'm saying there are broad titles; there are good bills that we can use. And if you're dissatisfied with a particular measure, there is a referendum that you can use. It's only an advisory referendum. Put it in a particular bill; move it along. Don't worry about your next election because that's what's happening. As soon as you get elected, you worry about the next.

"Thank you for listening, Mr. President."

ADJOURNMENT

At 12:17 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., Monday, March 22, 1999.

THIRTY-FIFTH DAY

Monday, March 22, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Derald Skinner, Calvary Chapel, Pearl Harbor, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

Senators Chumbley and Matsunaga introduced the following members of the State Commission to Promote Uniform Legislation: Hiroshi Sakai, chair; Lani Ewart, vice-chair; Robert Toyofuku; Elizabeth Kent; Ken Takayama; Maurice Kato; and John Chanin.

At 11:47 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. 249 and 250) were read by the Clerk and were placed on file:

Gov. Msg. No. 249, dated March 12, 1999, transmitting a report prepared by the Department of Human Services pursuant to H.C.R. No. 121 (1998), on the development of a universal health coverage plan for all Hawaii's children.

Gov. Msg. No. 250, dated March 10, 1999, transmitting the 1998 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, pursuant to Sections 672-12 and 271-20.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 26 to 29) were read by the Clerk and were placed on file:

Dept. Com. No. 26, from the State Auditor dated March 17, 1999, transmitting a report, "Study on the Privatization of the Child and Adolescent Mental Health Program," (Report No. 99-12).

Dept. Com. No. 27, from the State Auditor dated March 18, 1999, transmitting a report, "Follow-Up to the Study of Revenue Entitlements to the Department of Hawaiian Home Lands," (Report No. 99-13).

Dept. Com. No. 28, from the State Auditor dated March 19, 1999, transmitting a report, "Sunrise Analysis of a Proposal to Regulate Certified Professional Midwives," (Report No. 99-14).

Dept. Com. No. 29, from the Department of Labor and Industrial Relations, Office of Community Services, dated March 19, 1999, transmitting its 1999 Annual Report.

HOUSE COMMUNICATION

Hse. Com. No. 391, returning S.B. No. 1639, S.D. 1, which passed Third Reading in the House of Representatives on March 19, 1999, was read by the Clerk and placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand Com. Rep. No.

925) 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 Chun, 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 THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," 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. 926) recommending that S.C.R. No. 57, 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.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUES," 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. 927) recommending that S.C.R. No. 62, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 928) recommending that S.R. No. 27, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 423, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 423, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE," passed Second Reading and 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. 930) recommending that H.B. No. 1095, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

1095, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and 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. 931) recommending that H.B. No. 1, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, 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 CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 5, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 5, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 212, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 212, H.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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 934) recommending that H.B. No. 715 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 935) recommending that H.B. No. 849, H.D. 1, pass Second Reading and 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.B. No. 849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," passed Second Reading and 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. 936) recommending that H.B. No. 1457 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1457, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 7, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 7, 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 Wednesday, March 24, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 1188, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 24, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 898, H.D. 2, pass Second Reading and 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.B. No. 898, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," passed Second Reading and 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. 940) recommending that H.B. No. 1172, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1172, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 1064, H.D. 1, pass Second Reading and 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.B. No. 1064, H.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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 792, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

BAIL BONDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 24, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 919 (Gov. Msg. No. 186):

Senator Hanabusa moved that Stand. Com. Rep. No. 919 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Hawai'i Community Development Authority of the following:

DOUGLAS WON, term to expire June 30, 2002; and

LYNNE WATERS, term to expire June 30, 2003,

seconded by Senator Tanaka.

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

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

Stand. Com. Rep. No. 920 (Gov. Msg. No. 189):

Senator Hanabusa moved that Stand. Com. Rep. No. 920 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

HENRY CHO Sr., term to expire June 30, 2001; and

JOHN A.H. TOMOSO, term to expire June 30, 2003,

seconded by Senator Tanaka.

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

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

Stand. Com. Rep. No. 921 (Gov. Msg. No. 220):

Senator Hanabusa moved that Stand. Com. Rep. No. 921 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of JAMES K. TSUGAWA to the Hawai'i Community Development Authority, term to expire June 30, 2000, seconded by Senator Tanaka.

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

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

Stand. Com. Rep. No. 922 (Gov. Msg. No. 221):

By unanimous consent, action on Stand. Com. Rep. No. 922 and Gov. Msg. No. 221 was deferred until Wednesday, March 24, 1999.

Stand. Com. Rep. No. 923 (Gov. Msg. No. 223):

Senator Hanabusa moved that Stand. Com. Rep. No. 923 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of REGINALD E. DAVID to the Natural Area Reserves System Commission, term to expire June 30, 2000, seconded by Senator Tanaka.

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

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

THIRD READING

H.B. No. 1151, H.D. 1, S.D. 1:

Senator Fukunaga moved that H.B. No. 1151, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose in support of the measure and said:

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

"Mr. President, It is an essential thing that we do in order to make sure that the funds are there to continue the Child and Adolescent Mental Health Program in order to comply with the Felix/Waihee consent decree. However, Mr. President, I want to note for the record the findings of our own Auditor in regard to the management of that program.

"In the Auditor's summary of March 1999, she found the following:

'We also found that the inability of the Child and Adolescent Mental Health Division to effectively manage its contracts with private providers is an on-going problem. Poor contract management controls leave no assurance that quality services are delivered effectively and efficiently by outside providers. The Division's new performance based method of contracting requires increased oversight for which the Division is not adequately prepared. The Division may not be able to compel contractor performance because it did not finalize clinical treatment standards before issuing its fiscal year 1997-1998 request for proposals for contracted services.

'On site monitoring of all contracts is not conducted regularly and private providers are not giving the Division the information necessary to assess whether services are required or provided.

'Finally, we found that the Division has been unable to analyze and control the cost of private provider contract services. An in-house analysis was never conducted to determine the cost effectiveness of privatization. Also, the Division has been unable to project accurately the number of children and adolescents who will require services. Without accurate information a Division cannot determine the costs and benefits of privatization.'

"Mr. President, while there has been a response by the Department regarding the severe criticism by the Auditor, and while we do want to continue providing these services to the children, I really must remind all of us that we need to consider the quality of the services that we are providing, whether it be in mental health or other kinds of contracts. We need to focus on quality and not merely quantity.

"I trust, though, with this action and the report that was submitted by the Auditor that the Department will now follow through and be very, very careful and very, very aware that they need to make sure that the funds that we are giving them, as Legislators, are adequately spent and do what they are supposed to be doing -- i.e., reach the children, and not just go to feather other people's beds.

"Thank you, Mr. President."

Senator Iwase also rose in support of the measure as follows:

"Mr. President, I'm rising in support of the bill.

"I would just like to ask that the comments of the Senator from South Kauai be incorporated in the Journal as though they were my own. Thank you."

The Chair so ordered.

Senator Slom rose to support the measure with reservations and stated:

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

"I would also like to 'piggyback' on the comments made by my colleague from Kauai in terms of the Auditor's report.

"Mr. President, I'm very concerned, as I've mentioned numerous times before this body, we really watered down the term 'emergency,' because everything now is an emergency -- a critical emergency funding. We're talking about \$42 million in this bill right now. It's my understanding that the Department of Health actually ran out of money last Friday for the funding of these critical services. It's also my further understanding that the Department of Health borrowed about \$6 million from its payroll. It's also my understanding that the Department of Health borrowed an additional \$3 million from the Department of Education. It's also my understanding that they're still \$2 million short; that they're going to have to borrow that additional \$2 million. And of the total amount of \$42 million, more than \$10 million represent obligations going back to fiscal year '98.

"So it makes me wonder why, and I hope my colleagues wonder as well, if the Department of Health can get by for nine months without paying these bills, then how can we be concerned about a delay now. The Auditor hit it right on the head. This is a question not of money. It is a question of management and leadership. And too often this body is rubber-stamping proposals to give more money without requiring that action be taken. We don't follow up on the Legislative Auditor's reports. I have a room full of them. They're wonderful reports, but we don't do anything about it.

"And everything that we're calling emergency and critical right now, is our responsibility. And at some point here, we're going to have to say no. We're going to have to say that, as my colleague said, it's a question of quality rather than quantity. And it's a question, as I said, of leadership versus money.

"I note further that in the committee report, while there is a requirement that there be one report made within 30 days of this appropriation, there was also sentiment expressed by the Ways and Means Committee that there be on-going continuous 30-day updates. But unlike bills that are aimed at business, where this government says you shall do this; you must do that, the committee report only says 'The Department of Health should provide continuous thirty-day updates,' and 'The Department of Health should seek out data,' and 'The Department of Health should improve its forward planning.'

"When are we going to get tough on the people that are spending the taxpayers' money and that are responsible for the things that are not being done correctly? We're always saying that we're concerned about the children. If we are truly concerned about the children, let's pass better bills. Let's implement the Auditor's reports, and let's hold people responsible.

"Thank you, Mr. President."

Senator Anderson rose and said:

"Mr. President, would you please note my W/R and have both the Majority Floor Leader's and the Minority Floor Leader's words put in the Journal as though they were my own."

The Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1151, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 12:08 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for H.B. No. 8, and the Chair granted the waiver.

ADJOURNMENT

At 12:12 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., Tuesday, March 23, 1999.

THIRTY-SIXTH DAY

Tuesday, March 23, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Don Baron, Good Shepherd Lutheran Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Fukunaga, D. Ige, Ihara, Sakamoto and Taniguchi who were excused.

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

At this time, the following student "shadows" were introduced:

Senator Tam introduced Oscar Loui and Michael Maeda from Kawanakoa Middle School;

Senator Chun introduced Danna Hanashiro from Waiakea High School;

Senator Chun Oakland introduced Lizzy Lynch from Moanalua Middle School and Lisa Llamas from Farrington High School;

Senator Chumbley introduced Erin Eno and Joshua Santos from Baldwin High School;

Senator Chumbley, on behalf of Senator Ihara, then introduced Camille Coates from Hana High School; and

Senator Matsunaga, also on behalf of Senator Ihara, introduced Liana Collins from Jarrett Middle School.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 978 pass Second Reading and 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.B. No. 978, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944) recommending that H.B. No. 1207 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 24, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 945) recommending that H.B. No. 170, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 946) recommending that H.B. No. 326, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 326, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 947) recommending that H.B. No. 1078, H.D. 2, pass Second Reading and 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.B. No. 1078, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 948) recommending that H.B. No. 1287, H.D. 1, pass Second Reading and 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.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 949) recommending that H.B. No. 1624, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1624, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 950) recommending that H.B. No. 374, H.D. 2, pass Second Reading and 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.B. No. 374, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 951) recommending that H.B. No. 557, H.D. 2, pass Second Reading and 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.B. No.

557, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 952) recommending that H.B. No. 948, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 948, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 953) recommending that H.B. No. 979, H.D. 2, pass Second Reading and 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.B. No. 979, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 954) recommending that H.B. No. 980, H.D. 2, pass Second Reading and 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.B. No. 980, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 955) recommending that H.B. No. 983 pass Second Reading and 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.B. No. 983, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 956) recommending that H.B. No. 1380, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1380, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN INTERIM APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESOURCE MANAGEMENT DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 957) recommending that H.B. No. 1632, H.D. 3 pass Second Reading and 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.B. No. 1632, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and 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. 958) recommending that H.B. No. 4, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 4, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 959) recommending that H.B. No. 45, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 45, 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.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 960) recommending that S.C.R. No. 38, 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 joint report of the Committees was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 961) recommending that S.R. No. 16, 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 joint report of the Committees was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 962) 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 963) recommending that S.R. No. 17, 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 majority of the Committee was adopted and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 964) recommending that H.B. No. 1035, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1035, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 965) 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 Chun, 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 INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 966) recommending that H.B. No. 1042, H.D. 2, pass Second Reading and 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.B. No. 1042, H.D. 2, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 967) recommending that H.B. No. 1044, H.D. 1, pass Second Reading and 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.B. No. 1044, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Nakata, for the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 968) recommending that H.B. No. 1043, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1043, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 969) recommending that H.B. No. 1079, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1079, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 970) recommending that H.B. No. 1080, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1080, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 971) recommending that H.B. No. 1083, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1083, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:51 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.

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. 531 Jointly to the Committee on Health and
Human Services and the Committee on Judiciary

Senator Chun, for the Committee on Education and
Technology, requested a waiver pursuant to Senate Rule 20 for
H.B. Nos. 318, 389 and 1105, and the Chair granted the waiver.

Senator Chun Oakland, for the Committee on Health and
Human Services, then requested a waiver pursuant to Senate
Rule 20 for H.B. No. 1145, and the Chair granted the waiver.

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Chun, seconded
by Senator Slom and carried, the Senate adjourned until 11:30
o'clock a.m., Wednesday, March 24, 1999.

THIRTY-SEVENTH DAY

Wednesday, March 24, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Bruce Dusseault, Baha'i Faith, Honolulu Community, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

At this time, the following student "shadows" were introduced:

Senator Hanabusa introduced Belsy Brown from Waianae High School and Ryan Prestoza from Kalakaua Intermediate School;

Senator Ihara introduced Mariko Kotani from Kawanakoa Middle School;

Senator Taniguchi introduced Kaulani Ostrem from Kahuku High and Intermediate School;

Senator Sakamoto introduced Krystle Kido from Moanalua High School; and

Senator Chun Oakland introduced Liana Falaniko from Farrington High School and Jane Chung from Moanalua Middle School.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 392 to 394) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 392, transmitting H.C.R. No. 64, H.D. 1, which was adopted by the House of Representatives on March 23, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 64, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION'S SUPPORT FOR THE DESIGNATION AND ESTABLISHMENT OF A NATIONAL GUARD RAPID ASSESSMENT AND INITIAL DETECTION TEAM IN HAWAII TO ASSIST THE STATE IN RESPONDING TO NUCLEAR, BIOLOGICAL, OR CHEMICAL THREATS," was deferred until Thursday, March 25, 1999.

Hse. Com. No. 393, transmitting H.C.R. No. 29, H.D. 1, which was adopted by the House of Representatives on March 23, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 29, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE FEDERAL MILLION SOLAR ROOFS INITIATIVE," was deferred until Thursday, March 25, 1999.

Hse. Com. No. 394, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1151, H.D. 1, was placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 582, H.D. 2, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 582, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 973) recommending that H.B. No. 706, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 706, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES," passed Second Reading and 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. 974) recommending that H.B. No. 718, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 718, H.D. 1, S.D. 1, 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.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 975) recommending that H.B. No. 1653, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1653, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED IMPROVEMENT PROJECT," passed Second Reading and 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. 976) recommending that H.B. No. 1703 pass Second Reading and 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.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," passed Second Reading and 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. 977) recommending that H.B. No. 1409, H.D. 2, pass Second Reading and 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.B. No. 1409, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and 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. 978) recommending that S.C.R. No. 58, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS," was referred to the Committee on Education and Technology.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 979) recommending that H.B. No. 743, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 743, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 980) recommending that H.B. No. 756, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 756, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 981) recommending that H.B. No. 850, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 850, 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 Monday, March 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 982) recommending that H.B. No. 1070, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1070, H.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 Thursday, March 25, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 983) recommending that H.B. No. 1081, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

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

1081, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 984) recommending that H.B. No. 1664, H.D. 3, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1664, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 104, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 104, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 986) recommending that H.B. No. 1048, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1048, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 987) recommending that H.B. No. 333, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 333, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 988) recommending that H.B. No. 562, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 989) recommending that H.B. No. 797, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 797, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 990) recommending that H.B. No. 982 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 991) recommending that H.B. No. 1012, H.D. 1, pass Second Reading and 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.B. No. 1012, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 992) recommending that H.B. No. 1173, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1173, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 993) recommending that H.B. No. 1177, H.D. 2, pass Second Reading and 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.B. No. 1177, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 994) recommending that H.B. No. 1178, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1178, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 995) recommending that H.B. No. 1179 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 996) recommending that H.B. No. 1181, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1181, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 997) recommending that H.B. No. 1186 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 998) recommending that H.B. No. 50 pass Second Reading and 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.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 999) recommending that H.B. No. 842, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1000) recommending that H.B. No. 938, H.D. 1, pass Second Reading and 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.B. No. 938, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1001) recommending that H.B. No. 1160, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1160, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1002) recommending that H.B. No. 1162, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1003) recommending that H.B. No. 1165, H.D. 2, pass Second Reading and 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.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1004) recommending that H.B. No. 1350, H.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1005) recommending that H.B. No. 1548, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1006) recommending that S.C.R. No. 65, 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.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1007) recommending that S.R. No. 29, 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. 29, entitled: "SENATE RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1008)

recommending that S.C.R. No. 80, 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.C.R. No. 80, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE AND WEBSITE TO BE KNOWN AS AINA-911," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1009) recommending that S.R. No. 35, 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. 35, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE AND WEBSITE TO BE KNOWN AS AINA-911," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1010) recommending that H.B. No. 172, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 172, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1011) recommending that H.B. No. 176, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 176, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 196, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 196, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 260, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 260, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

1014) recommending that H.B. No. 294, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 294, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 328, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1016) recommending that H.B. No. 544, H.D. 1, pass Second Reading and 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.B. No. 544, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY NET HEALTH PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 549, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 549, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A LONG-TERM CARE VOLUNTEER OMBUDSMAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 895, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 895, H.D. 2, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 1120 pass Second Reading and 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.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 1124, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," passed Second Reading and was referred to the Committee on Labor and Environment.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1021) recommending that H.B. No. 1146, as amended in S.D. 1, pass Second Reading and 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.B. No. 1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1022) recommending that H.B. No. 1274, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1274, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 1367, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1367, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTER DEFERRED FROM MONDAY, MARCH 22, 1999

ADVISE AND CONSENT

Stand. Com. Rep. No. 922 (Gov. Msg. No. 221):

Senator Hanabusa moved that Stand. Com. Rep. No. 922 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of STANLEY H. ROEHRIG to the Land Use Commission, term to expire June 30, 2003, seconded by Senator Tanaka.

Senator Hanabusa rose in support of the nominee and said:

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

"Mr. President and my colleagues, Mr. Roehrig is a locally born boy, raised in the islands. He and his wife moved to Hilo

in 1965 where they raised three children, all graduates of Hilo High School.

"From the mid-60's to 1969, Mr. Roehrig served as a deputy attorney general, a deputy county attorney and public defender for the County of Hawaii. Beginning in 1969, Mr. Roehrig commenced his service in the Legislature as a Representative from the Hilo area. He served in the State House of Representatives for eight years and his service included positions on the Lands Committee, Judiciary, Agriculture and Higher Education.

"Mr. Roehrig stands before you for advise and consent as a member of the Land Use Commission, and I believe he would be an excellent addition.

"Thank you, Mr. President."

Senator Matsuura requested a conflict ruling as follows:

"Mr. President, I would like to request a conflict ruling from the Chair."

The Chair then said:

"Please state your potential conflict."

Senator Matsuura responded:

"I'm a corporate officer and project manager of a development project that will be going before the Land Use Commission."

The Chair replied:

"No conflict. You may vote on this confirmation."

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

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

At this time, Senator Hanabusa introduced Mr. Roehrig who was seated in the gallery.

THIRD READING

H.B. No. 7, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, H.B. No. 7, 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, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

H.B. No. 1188, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, H.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 792, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1207:

On motion by Senator Buen, seconded by Senator Chun and carried, H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 351, H.D. 2	Jointly to the Committee on Health and Human Services and the Committee on Judiciary
No. 531	Committee on Judiciary, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
No. 100	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 133	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 134	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 135	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 183	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 184	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 208	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 220	Jointly to the Committee on Judiciary and the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 41	Jointly to the Committee on Judiciary and the Committee on Ways and Means

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:00 o'clock p.m., Thursday, April 25, 1999.

THIRTY-EIGHTH DAY

Thursday, March 25, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 6:18 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Toshimichi Hasegawa, Aiea Soto Mission Taihaji, after which the Roll was called showing all Senators present with the exception of Senators Buen, Iwase and Tanaka.

The President announced that he had read and approved the Journal of the Thirty-Seventh Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 395 to 399) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 395, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 1151, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 1151, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on March 24, 1999, was placed on file.

Hse. Com. No. 396, transmitting H.C.R. No. 10, H.D. 2, which was adopted by the House of Representatives on March 24, 1999, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING MORE PUBLIC EDUCATION ABOUT CHOICES AVAILABLE TO THOSE WHO ARE SEVERELY ILL, AND URGING THE INCLUSION OF CARE OF THE DYING IN THE EDUCATION OF HEALTHCARE PROFESSIONALS," was referred to the Committee on Health and Human Services, then to the Committee on Education and Technology.

Hse. Com. No. 397, transmitting H.C.R. No. 14, H.D. 1, which was adopted by the House of Representatives on March 24, 1999, was placed on file.

By unanimous consent, H.C.R. No. 14, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING EFFECTIVE PAIN MANAGEMENT PROGRAMS BE REQUIRED IN ALL HEALTHCARE INSTITUTIONS," was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 398, transmitting H.C.R. No. 97, H.D. 1, which was adopted by the House of Representatives on March 24, 1999, was placed on file.

By unanimous consent, H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. MILITARY AND THE AGENCIES OF THE STATE AND COUNTIES OF HAWAII TO EMULATE THE U.S. AIR FORCE IN ITS EFFORT TO INFORM AND PARTNER WITH THE COMMUNITY REGARDING THE ENVIRONMENTAL RESTORATION OF AIR FORCE BASES IN THE 15TH AIR BASE WING COMMAND," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 399, returning S.B. No. 1194, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1999, was placed on file.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 1203, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1203, H.D. 1, 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 Monday, March 29, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 8, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 8, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 15 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 15, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE REVOCATION OF A DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1027) recommending that H.B. No. 123, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 123, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1028) recommending that H.B. No. 161, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1029) recommending that H.B. No. 167, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 167, H.D. 3, 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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1030) recommending that H.B. No. 286, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 286, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," passed Second Reading and 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. 1031) recommending that H.B. No. 645, as amended in S.D. 1, pass Second Reading and 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.B. No. 645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1032) recommending that H.B. No. 719, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 719, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Second Reading and 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. 1033) recommending that H.B. No. 1210, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1210, H.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.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1034) recommending that H.B. No. 1298 pass Second Reading and 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.B. No. 1298, entitled: "A BILL FOR AN ACT RELATING TO BURIALS," passed Second Reading and 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. 1035) recommending that H.B. No. 1401, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1401, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1036) recommending that H.B. No. 1528, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1528, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURES ON ARREST," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1037) recommending that H.B. No. 1593, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1593, H.D. 1, 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 Government Operations and Housing.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1038) recommending that H.B. No. 1622, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1622, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1039) recommending that H.B. No. 1026, H.D. 1, pass Second Reading and 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.B. No. 1026, H.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 Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 157, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 157, 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. 1041) recommending that H.B. No. 440, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 440, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," 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. 1042) recommending that H.B. No. 531, as amended in S.D. 1, pass Second Reading and 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.B. No. 531, 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. 1043) recommending that H.B. No. 1006, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1006, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," 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. 1044) recommending that H.B. No. 1008, as amended in S.D. 1, pass Second Reading and 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.B. No. 1008, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," 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. 1045) recommending that H.B. No. 989, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 989, H.D. 1, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1046) recommending that H.B. No. 142, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 142, 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.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 159, H.D. 2, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 159, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1048) recommending that H.B. No. 1595, H.D. 1, pass Second Reading and 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.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Tam, for the Committee on Labor and Environment and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 1049) recommending that H.B. No. 1166, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1166, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 89, H.D. 1, pass Second Reading and 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.B. No. 89, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OKINAWAN CENTENNIAL CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 185, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 185, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 248, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 248, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1053)

recommending that H.B. No. 254, H.D. 2, pass Second Reading and 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.B. No. 254, H.D. 2, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 310, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 310, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 314, as amended in S.D. 1, pass Second Reading and 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.B. No. 314, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1056) recommending that H.B. No. 316, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 316, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARTS EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 634, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 855, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 855, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 988, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 988, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 1168, H.D. 1, pass Second Reading and 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.B. No. 1168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 1170, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," passed Second Reading and 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. 1062) recommending that H.B. No. 700, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 700, 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 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. 1063) recommending that H.B. No. 806, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 806, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," passed Second Reading and 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. 1064) recommending that S.C.R. No. 84, 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.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP ANALYSIS OF THE EFFECTIVENESS OF LEGISLATION AUTHORIZING DIRECT LONG-TERM RESIDENTIAL

LEASES AT MAUNALAHA, OAHU; MILOLII-HOOPULOA, HAWAII; AND KIKALA-KEOKEA, HAWAII," 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. 1065) recommending that S.R. No. 38, 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. 38, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FOLLOW-UP ANALYSIS OF THE EFFECTIVENESS OF LEGISLATION AUTHORIZING DIRECT LONG-TERM RESIDENTIAL LEASES AT MAUNALAHA, OAHU; MILOLII-HOOPULOA, HAWAII; AND KIKALA-KEOKEA, HAWAII," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1066) recommending that H.B. No. 1183, 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 Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1183, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1067) recommending that H.B. No. 1296, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1296, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 368, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 677, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 677, H.D. 1, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 1020, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1020, H.D. 2, 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.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 266, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 266, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 1038, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1038, H.D. 1, S.D. 1, 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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1073) recommending that H.B. No. 136, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 136, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1074) recommending that H.B. No. 1361, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1361, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1075) recommending that H.B. No. 1061, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1061, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES," passed Second

Reading and was placed on the calendar for Third Reading on Monday, March 29, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 3, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 139, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 139, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 140, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1079) recommending that H.B. No. 753, 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 Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 753, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 1636, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1636, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 179,

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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 179, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 827, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 827, H.D. 3, S.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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 936, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 936, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, jointly with Senator Kawamoto, for the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 1522, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1522, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 522, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 522, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," 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. 1086) recommending that H.B. No. 1460, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1460, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING

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. 1087) recommending that H.B. No. 1471, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1471, H.D. 1, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 273, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 273, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 287, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 287, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 622, H.D. 2, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 622, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 635, H.D. 2, pass Second Reading and 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.B. No. 635, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 1117, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1117, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed

Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 1121 pass Second Reading and 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.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Hanabusa, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1094) recommending that S.C.R. No. 68 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE TO CLAIM ITS FAIR SHARE OF THE CEDED LAND REVENUES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 1726, H.D. 1, pass Second Reading and 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.B. No. 1726, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY HEALTH SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1096) recommending that H.B. No. 1073, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1073, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 1267, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1267, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 1153, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1099) recommending that H.B. No. 37, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 37, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 830, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 830, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 1029, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1029, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1102) recommending that H.B. No. 171, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 171, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1103) recommending that H.B. No. 174 pass Second Reading and 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.B. No. 174, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1104) recommending that H.B. No. 877, H.D. 1, pass Second Reading and 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.B. No. 877, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1105) recommending that H.B. No. 1115, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1115, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1106) recommending that H.B. No. 1257, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1257, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1107) recommending that H.B. No. 1413, H.D. 1, pass Second Reading and 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.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1108) recommending that H.B. No. 1575, H.D. 2, pass Second Reading and 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.B. No. 1575, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1109) recommending that H.B. No. 1616, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1616, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1110) recommending that H.B. No. 1621, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1111) recommending that H.B. No. 87, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 87, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1112) recommending that H.B. No. 154, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1113) recommending that H.B. No. 250, H.D. 2, pass Second Reading and 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.B. No. 250, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1114) recommending that H.B. No. 261, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1115) recommending that H.B. No. 1086, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1086, 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 Monday, March 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1116) recommending that H.B. No. 765, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 765, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1117) recommending that H.B. No. 98, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 98, H.D. 1, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1118) recommending that H.B. No. 749, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 749, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1119) recommending that H.B. No. 1416, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1416, H.D. 2, 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. 1120) recommending that H.B. No. 163, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," 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. 1121) recommending that H.B. No. 1454, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1454, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

**MATTERS DEFERRED FROM
WEDNESDAY, MARCH 24, 1999**

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions that were received on Wednesday, March 24, 1999:

House
Concurrent
Resolution

Referred to:

No. 29, H.D. 1 Committee on Economic Development,
then to the Committee on Ways and Means

No. 64, H.D. 1 Committee on Transportation and
Intergovernmental Affairs

THIRD READING

H.B. No. 1070, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1070, H.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, 22. Noes, none. Excused, 3 (Buen, Iwase, Tanaka).

H.B. No. 1081, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1081, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Iwase, Tanaka).

H.B. No. 982:

On motion by Senator Inouye, seconded by Senator M. Ige and carried, H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Iwase, Tanaka).

H.B. No. 1179:

On motion by Senator Inouye, seconded by Senator M. Ige and carried, H.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Iwase, Tanaka).

At 6:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:36 o'clock p.m.

Senator Chumbley, for the Committee on Judiciary, requested a waiver pursuant to Senate Rule 20 for H.B. No. 162, and 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.

"I, like many people, was caught by surprise yesterday by the announcement that this body is going to be considering a tax increase bill on Saturday. Here we are on the 38th day of our 60-day session. The opening day . . . we heard speeches all through that week by the President, by the Speaker of the House, by the Governor, telling us how we're going to improve our economy; we're going to lighten the burden for our taxpayers and our single mothers and our small businesses; we're going to cut taxes; we're going to cut back on regulations; we're going to improve the business climate. And for 38 days we've done nothing. We have nothing to show for this, Mr. President.

"And then yesterday, we hear that we're going to have a tax increase -- a general excise tax increase, the 'son of the ERTF' that the taxpayers and the business people fought last year.

"Mr. President, I feel like the Senate which I was very proud to be part of last year when we stood against the tide for increasing taxes, I'm ashamed today that we would even think about this. And all the public hearing on Saturday on Prince Kuhio Day, on the Prince Kuhio weekend . . . I know Prince Kuhio was a Republican but that's no way to treat a Republican. (Laughter.) I can't believe it!

"I remember on opening day, I was sitting here and that wonderful little girl was right by the Majority Leader's desk and she was singing the Oscar Meyer song about baloney. Little did I know, Mr. President, little did I believe that on the 38th day this body would be enveloped in baloney.

"A general excise tax increase! Didn't we learn anything? Where was all that talk about the message that came out of the 1998 general election? I feel like we've been stabbed in the back. I feel like the taxpayers have been betrayed and we're part of it. And some people, some people talk about this bill and they say, 'Oh, this is beneficial. It's going to be beneficial for the taxpayers, for small business, for our keiki.' Everything we say we do in here is for our keiki.

"And then the sponsors of this bill add insult to injury because they tell us, 'It's only a 1.35 percent increase.' It's a 34 percent increase, exactly like the increase last year that was proposed -- 34 percent! And they tell us, 'Yes, but we're going to reduce pyramiding general excise tax and help small business.'

"Mr. President, this body, several weeks ago, passed a good bill to eliminate pyramiding, to help small business. This bill doesn't do it. It phases it out over seven years -- seven years we'll have more dead and dying businesses; we'll have more people that have left this state because of the general excise tax -- a gross income tax, not a sales tax. It's the most insidious, the most onerous tax that we have! We pay it first. We all pay it first and then, maybe later, over seven years we get some benefit. Businesses can't wait that long. Taxpayers can't wait that long. Families can't wait that long. And then the sponsors tell us -- they have the temerity to tell us -- 'Oh yes, but we're going to exempt food also. It's in the bill.' Interesting concept! Republicans have been pushing for the food exemption for 50 years now. All of a sudden, somebody thought about this and tied it into general excise. But there's only one problem -- it's not in this bill, Mr. President. They sold us another bad bill of goods. If we were before the Commerce Committee or DCCA, it would be fraudulent. And that's what this bill is all about.

"Why this bill? Why now? Why, when we haven't done anything for the people? Why do we talk about increasing the taxes more? If someone loses their job, does their child ask for an increase in his allowance? If business is suffering because people aren't buying, do they raise their prices? Only the Legislature seems to act on the idea that if we have more problems brought on by taxes and regulations, we will provide more taxes and more regulations.

"We haven't gotten the message. We're not listening to the people. They didn't send us here to increase their burden. They sent us here to make it lighter. I can't believe this.

"And, Mr. President, I heard again the favorite word that comes out of this body -- it was a collaborative style to introduce this tax increase. What collaboration? Who knew about it? Who collaborated on it? Who cooperated on it? Why now? And is it just for discussion? Is it just for leverage? Is it just to make talk? Why don't we pass good bills? We have good bills. The Senate has passed good bills. But instead, we put this to the forefront.

"Mr. President, everybody is talking about Y2K and the problems and the things, the tragedies, that could happen next year, January 1. If this bill becomes law, this is a bigger tragedy and has a bigger impact than anything that Y2K could do. We've got to stop this bill now. It's no good! We don't need it! We don't want it! And if we believe in the taxpayers of this State, let's stand up and say 'No,' as a body, and make sure that it doesn't even go further than Saturday.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege as follows:

"Mr. President, I'd like the words of the Minority Floor Leader put in the Journal as though they were my own.

"I guess I have an announcement also. Since I wasn't a part of the collaboration, I had made prior commitments, and then I saw that we're going to have WAM meetings scheduled for Saturday at 3:00 and 3:30. I already had commitments. I won't be at the meeting. I wanted to announce that I would hope that the neighbor island people . . . if people want you at a hearing, have it at 8:00 in the morning, 8:30 in the morning, not in mid-afternoon when the public has other things to do and so do your colleagues. We have commitments as well as everybody else. So, I'm going to make my commitment right now -- I'm going to be busy and I'm not going to be there.

"I would hope everybody else just doesn't go, because I don't think that's fair that I have to watch television to find out that we're going to have a raise in taxes. We had people for dinner last night and they said we heard, but it wasn't until television told me that we were having it. Rumors, they said, were around this chamber. That's a helluva way for anybody who is a part of this Senate to find out that we have a possibility of raising taxes, especially when we're asked to do things that would help the economy in other ways. And we have many ways.

"So, I'm sorry, Madam Chair and my fellow colleague, the other co-chair, I would hope that I would have been there but because of the poor collaboration and because of the poor notices, we made other commitments and I'm afraid that I will not be there. So that's my announcement, Mr. President, and I thank you."

STANDING COMMITTEE REPORTS

On motion by Senator Chun, 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. In consequence thereof, and subsequent to its recessing at 6:46 o'clock p.m., the Senate took the following actions on the following bills and standing committee reports:

Senators Kanno and Taniguchi, jointly with Senator Hanabusa, for the Committee on Commerce and Consumer Protection and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1122) recommending that H.B. No. 499, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 499, H.D. 2, 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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 1041, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1041, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1124) recommending that H.B. No. 318, as amended in S.D. 1, pass Second Reading and 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.B. No. 318, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SCHOOL CLERICAL POSITIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1125) recommending that H.B. No. 389, as amended in S.D. 1, pass Second Reading and 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.B. No. 389, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1126) recommending that H.B. No. 510, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 510, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1127) recommending that H.B. No. 512, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 512, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1128) recommending that H.B. No. 532, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 532, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1129) recommending that H.B. No. 833, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 833, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1130) recommending that H.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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 854, 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.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1131) recommending that H.B. No. 967, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 967, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1132) recommending that H.B. No. 1085, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1085, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1133) recommending that H.B. No. 1088, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1088, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com.

Rep. No. 1134) recommending that H.B. No. 1198, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1198, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1135) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 1683, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1683, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 32, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 32, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1138) recommending that H.B. No. 180, H.D. 1, pass Second Reading and 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.B. No. 180, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN ALIEN SPECIES COORDINATOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 336, H.D. 1, pass Second Reading and 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.B. No. 336, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1140) 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 Ways and Means.

On motion by Senator Chun, 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 WATER CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 945, H.D. 1, pass Second Reading and 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.B. No. 945, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 1027, H.D. 1, pass Second Reading and 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.B. No. 1027, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS FOR AVIATION TRAINING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1143) recommending that H.B. No. 1403, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1403, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senators Kanno and Taniguchi, for the Committee on Economic Development and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1144) recommending that H.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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1628, S.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.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1145) recommending that H.B. No. 1668, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1668, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1146) recommending that H.B. No. 1706, H.D. 3, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1706, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1147) recommending that H.B. No. 798, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 798, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1148) recommending that H.B. No. 1142, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1142, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 1277, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 252, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 252, 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 and Consumer Protection.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1151) recommending that H.B. No. 307, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 307, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 519, as amended in S.D. 1, pass Second Reading and 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.B. No. 519, S.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 Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 661, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 661, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1154) recommending that H.B. No. 1071, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1071, H.D. 1, 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 Chumbley and Matsunaga, jointly with Senators Kanno and Taniguchi, for the Committee on Judiciary and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1155) recommending that H.B. No. 20, 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 Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 20, H.D. 2, 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.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 259, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 259, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD ASSESSMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 899, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 899, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT KING INTERMEDIATE SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1158) recommending that H.B. No. 1119, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1119, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1159) recommending that H.B. No. 1149, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 1286, H.D. 1, pass Second Reading and 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.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 1594, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 1641, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1641, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 1663, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1663, H.D. 2, 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.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 1693, H.D. 1, pass Second Reading and 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.B. No. 1693, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 377, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 377, 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.

Senator D. Ige, jointly with Senators Kanno and Taniguchi, for the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1166) recommending that H.B. No. 1111, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1111, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 1637, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1637, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1168) recommending that H.B. No. 1749, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1749, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHY EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 1017, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1017, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE 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. 1170) recommending that H.B. No. 1450, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1450, 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.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 274, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 274, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 547, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 547, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1173) recommending that H.B. No. 632, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 632, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1174) recommending that H.B. No. 970, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 970, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1175) recommending that H.B. No. 971, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 971, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1176) recommending that H.B. No. 972, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 972, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1177) recommending that H.B. No. 973, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 973, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 1125, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1125, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1179) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 1145, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1145, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 1617, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1617, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 1620, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1620, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES," 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. 1183) recommending that H.B. No. 162, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 1711, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1711, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1185) recommending that H.B. No. 985, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 985, 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.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1186) recommending that H.B. No. 747, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1187) recommending that H.B. No. 1276, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1276, 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 Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1188) recommending that H.B. No. 1018, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1018, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1189) recommending that H.B. No. 138, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 138, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, jointly with Senator Hanabusa, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1190) recommending that H.B. No. 424, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 424, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO FOREST RESERVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 949, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 949, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1192) recommending that H.B. No. 1280, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1280, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 1282, as amended in S.D. 1, pass Second Reading and 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.B. No. 1282, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOKAA-PAULIO IRRIGATION DISTRICT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1194) recommending that H.B. No. 235, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 235, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Monday, March 29, 1999.

THIRTY-NINTH DAY

Monday, March 29, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:48 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Charles Couch, Calvary Chapel, West Oahu, 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.

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

Senator Chun Oakland, with the assistance of Senators Ihara, Sakamoto, Iwase, Taniguchi and Buen, introduced and congratulated the Queen of the 47th Annual Cherry Blossom Festival, Lori Shizuko Murayama, and her court: First Princess and Miss Congeniality, Dori Takata; Princess Janice Nakatani; Princess Jennifer Oyama; Princess Alison Tasaka; and Miss Popularity, Taryn Matsuda. Accompanying the young ladies was Keith Kamisugi, President of the Honolulu Japanese Junior Chamber of Commerce.

Senator Taniguchi, in recognition of Project DANA's Tenth Anniversary, introduced and commended the following volunteers from Project DANA: Shim Kanazawa, founder; Clifford Takishita; Rusty Nakagawa; Ayako Taketa; Grace Zukeran; and Betty Okamoto.

At this time, the Chair appointed Senators Chun Oakland, Iwase and Matsunaga to escort Queen Lori Murayama to the podium to address the members of the Senate.

Queen Lori addressed the members of the Senate and their guests as follows:

"Forgive me, I didn't have anything prepared today. So, as one might say, I'm just going to wing it.

"Thank you, first of all. It's been an honor to be here in front of the body that perpetuates our State. It's a really great honor, so I thank you for that.

"I guess you could say we've been honored twice this week -- first, to be in front of you all, and secondly, to be the 47th Cherry Blossom Court.

"This year, we plan to do many things. Although it's not really set in stone yet, we have great plans for this year. One of our missions is definitely to perpetuate our culture and our heritage, to get the community involved. Our second plan is to definitely get into the youth, to teach them, and to become a good role model for them as well. And finally, to empower women -- I know that First Princess Dori's plan is definitely to empower women.

"Thank you."

At 12:05 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.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 251, informing the Senate that on March 25, 1999, he signed into law Senate Bill No. 1639 as Act 2, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL," was read by the Clerk and was placed on file.

ORDER OF THE DAY

THIRD READING

H.B. No. 850, H.D. 1, S.D. 1:

Senator Kanno moved that H.B. No. 850, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Iwase rose in support of the measure with reservations as follows:

"Mr. President, I'm rising to speak in support of the bill with reservations.

"Mr. President, the purpose of this bill is to extend amnesty for uninsured motorists, purportedly to encourage these uninsured motorists to buy auto insurance.

"Mr. President, the last time we dealt with auto insurance, we had statistics showing about somewhere between 15 to 20 percent of the automobile drivers weren't insured. And so, one of the discussions that occurred when we enacted the reforms three years ago, four years ago, was that by reducing the premiums and providing amnesty, people would buy auto insurance because uninsured motorists pose a problem for our state. It is unfair, therefore, for the 80 percent who are presently struggling to pay for auto insurance to continue to pay when we continue to extend the amnesty provisions.

"Moreover, Mr. President, and with sympathy to those who are having difficulty and therefore cannot buy auto insurance, if the auto insurance costs are not affordable because the reforms have not provided the affordability that was promised, then perhaps the better answer is to eliminate no-fault altogether as insurance and let people choose, or to enact a choice bill which was before this body four years ago, to let people choose whether or not they want to buy no-fault insurance or buy some form of a modification of that, or to elect not to buy auto insurance at all.

"But at this point in time, Mr. President, we ought to not continue to extend this amnesty. Thank you."

Senator Slom rose in opposition to the measure and stated:

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

"I'd like to reflect some of the comments that my colleague just made about the amnesty provisions, but I'd like to go a little bit further. First of all, we've had two amnesty periods already, and now we're having a third and probably we'll have a fourth and a fifth. It makes a mockery of what we're doing here in terms of laws.

"The Honolulu Police Department testified against this bill very vehemently. As my colleague mentioned, really what we should be doing is giving people a choice or ending the mandatory requirement for insurance, if that's what we're concerned about. In addition to that, we don't make any distinction in this bill between those who have any kind of hardship or special case scenario or anything else. We just continue the amnesty.

"So, if we're going to continue to do that, as I say, it really makes a mockery of trying to have a law that punishes those of us who are the good citizens and pay the bills and do the things we're supposed to do.

"Thank you, Mr. President."

Senators Bunda and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto then rose and said:

"As one who favored a choice bill, with reservations, please."

The Chair so ordered.

At this time, Senators Chun, Buen, Matsunaga, also 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. 850, 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, 23. Noes, 2 (Anderson, Slom).

H.B. No. 1548, H.D. 1, S.D. 1:

Senator Nakata moved that H.B. No. 1548, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1203, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1203, H.D. 1, 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.

H.B. No. 1061, H.D. 2, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1061, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1086, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, H.B. No. 1086, 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.

At 12:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 150, H.D. 2 Jointly to the Committee on Education and Technology and the Committee on Ways and Means and the Committee on Judiciary

Senator Chun Oakland, for the Committee on Health and Human Services, requested a waiver pursuant to Senate Rule 20 for S.C.R. Nos. 42, 112, 113, 119 and 121; and S.R. No. 50, 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, like many of my colleagues I'm sure, are very saddened today with the news that we apparently have lost Baywatch. Day after day, for weeks on end, Mr. President, we've been following the news and hoping against hope that this intellectual series would come to our fair shores. What boobs, Mr. President, what boobs made this decision to relinquish the opportunity for us to have this TV series here? I just don't understand it. You know, we tried so hard. The Legislature tried to throw money at them. The Governor personally lobbied. The media had an unrelenting campaign. And yet, it looks like the decision was made not here, but in Los Angeles by the Teamsters Union. I'm very saddened by that.

"Of course, we also are losing the Biotech edge that we had at the University of Hawaii because we didn't lobby for that, because we didn't throw money at that, because we didn't keep our promises, because the Governor didn't get personally involved. And we go out and we look for other businesses across the country and industries that don't exist here, while denying existing businesses an improved business climate or tax reduction. And we wonder why we lose them.

"What boobs, Mr. President. We should take care of the things that we have, first, and make them better, before we move on.

"Thank you."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I agree with the Minority Floor Leader, but I think, Mr. President, it's a shame that I have to constantly get up on a point of personal privilege because the economy is so bad, and then read in the editorial that we make brave noises and that education has got to be first and foremost, and the economy is low. Hell, we know that. Everything that comes up . . . I think what we have here is a group of people that are a little deaf. I don't make strange noises or noises for political causes that make it where we're going to move forward for no reason. We come up with solutions.

"We have education, for instance. Charter schools, vouchers, tax credits -- you folks may not like those ideas, but the people do. And there's nothing wrong with those kinds of deals. I had a woman call my office and said, 'Why don't we go ahead and charge the private schools?' Well, my daughter has two children going to private schools. She pays taxes for public schools. She needs all the help she can get from us if we can go ahead and help our grandchildren, because our public schools are in sad shape.

"The federal government just said we had \$15 million, and we're going to put it where? -- in the general fund. And yet, the other day when Representative McDermott was on, somebody said, 'Hell, 70 percent of those kids belong to military parents. They're not ours. The federal government should take care of them.' Then why don't we take those federal dollars and take care of the schools if the percentage is so high of students from the military?"

"Let me go into another one -- streamlining of government. I've been talking about that. There's nothing wrong with a unicameral system. I'm not worried about my political future. I said get rid of 25 people. To make it where people could understand, I said visualize that second floor with no Senators, no staff, no equipment. In reality, it's 25 less people. I'm running this time. I would just as soon take a chance on being a senator or a representative. That means what? That I have to run against Representative Goodenow? So if they dump me, they pick up him. If they dump him, they pick up me. That's the chance that we all take. And that's cutting government."

"I've said regulatory reform. The Governor wants to go ahead on administrative rules. Four years, SWAT team. Two years is what we set. Make sure that all rules and regs drop dead in two years, unless a department can justify them. And what's wrong with that? Four years to find out an impact on businesses that's taking them down the tubes. How many more businesses can we lose? And yet, we just voted this morning for more rules and regs."

"Gambling. I just watched on television the group against gambling. Well hell, there's only two states that don't have gambling, and even Utah says that we can have horse racing for sportsmanship. But if this group is so strong and it's so vital for you folks to listen to them, then why aren't the other states listening?"

"I went and asked for some statistics this morning for people, since we passed years ago that alcohol would be legal. It's costing us \$500 billion in gambling, yearly, but in our pathological deal it's another, what is it, five million problem? That's not too bad. When we passed alcohol, we had 14 million Americans that had problems, and it's costing us over \$100 billion a year. I don't see anybody changing that law. Why don't we change that if it's so bad? But what you do every year is you try to figure out how we can get more money from alcohol. We tax it more. That's your solution to everything -- tax, not to get rid of anything. Just tax it."

"I don't see anyone that turns around and says, son or daughter or whatever, how about joining me in a game of poker or dice in the evening. But most of us have told our children, would you like a sip of wine; how about a little beer? But we don't ask them to gamble. And the law says 21. But that's the way to stimulate the economy."

"What we have here is people saying that we have to raise taxes and that we have people who will stand up and say brave things. Well, that's not quite true. I've had people come to my door with people on welfare and needing help because they're single parents and everything else. They don't care where they're getting the money from. They just tell them, see the Senator. Well, we have a realistic way of trying to control government, a realistic way of trying to look at helping the economy. It's not something that we just think up. And if you think that we just play games over here, you must be deaf and blind because you folks really don't look at the situation and you don't listen. What you do is walk out every year to say that we're just mouthing off."

"I thank you for listening, Mr. President, and I wish that we would seriously consider all of the different things that we don't need to raise taxes on, but we can help our economy and make sure that we move forward and that we don't blame Asia and others for the problems that we can go ahead and help solve."

"Thank you very much."

ADJOURNMENT

At 12:28 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., Tuesday, March 30, 1999.

FORTIETH DAY

Tuesday, March 30, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Mark Hsi, Hope Chapel, Manoa, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Matsuura who were excused.

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

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

Senator Taniguchi, in celebration of the 75th Anniversary of the University of Hawaii Band, introduced Grant Okamura, Thomas Bingham, Gwen Nakamura, Richard Lum and Norman Rian.

Senator Ihara introduced Frank Boas, Roland Lagareta, Ruth Limtiaco, Lisa Maruyama and Truman Leung in recognition of the Pacific and Asian Affairs Council's 45 years of exemplary achievements in promoting international awareness and advancing cultural understanding in Hawaii.

Senator Matsunaga then introduced Dr. Arlene Jouxson Meyers, the 1999 Hawaii Medical Association Physician of the Year; and Professor Richard Miller, the 1999 Hawaii Medical Association Alliance Community Volunteer of the Year. Accompanying the honored guests were Dr. Patricia Chinn and Maureen Lau.

At 11:52 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 252 and 253) were read by the Clerk and were placed on file:

Gov. Msg. No. 252, dated February 26, 1999, transmitting the following reports: "Delinquency and Gangs in Hawaii, Volume I: Prevalence"; and "Delinquency and Gangs in Hawaii, Volume II: Response."

Gov. Msg. No. 253, dated March 17, 1999, transmitting the "Miss Universe Pageant Final Report," prepared by the Hawaii Visitors and Convention Bureau for the Department of Business, Economic Development and Tourism, pursuant to Act 15, SLH 1998.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 30, from the State Auditor dated March 29, 1999, transmitting a report, "Procurement Audit of Food Purchases and Related Inventory Controls of the Department of Public Safety and the Department of Education," (Report No. 99-15), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 400 and 401) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 400, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 7; and
H.B. No. 1188,

was placed on file.

Hse. Com. No. 401, returning S.B. No. 1125, which passed Third Reading in the House of Representatives on March 25, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1125, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred until Thursday, April 1, 1999.

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. 156, H.D. 1	Jointly to the Committee on Judiciary and the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
No. 166	Committee on Education and Technology, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 74	Committee on Education and Technology, then to the Committee on Ways and Means

Senator Nakata, chair of the Committee on Labor and Environment, requested a waiver of the 72-hour Notice of a Public Hearing for S.C.R. No. 188 and S.R. No. 85, and the Chair granted the waiver.

Senator D. Ige, chair of the Committee on Education and Technology, requested a waiver pursuant to Senate Rule 20 for S.R. No. 90 and S.C.R. Nos. 90, 145 and 223, and the Chair granted the waiver.

ADJOURNMENT

At 12:03 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., Wednesday, March 31, 1999.

FORTY-FIRST DAY

Wednesday, March 31, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Dale Vallejo-Sanderson, New Hope Christian Fellowship, 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 Fortieth Day.

Senator D. Ige, with the assistance of Senators M. Ige, Bunda and Slom, introduced and congratulated the following recipients of the Milken Family Foundation National Educator Awards: Kathleen Nagaji, Pearl Ridge Elementary School; Irene Yamashita, Kapunahala Elementary School; Jane Serikaku, principal, Iliahi Elementary School; and Anne Marie LeBlanc-Erquiza, Kamiloiki Elementary School. Accompanying the honorees was Patricia Hamamoto, deputy superintendent of the Department of Education.

At 12:02 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 254 to 263) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 254, dated March 23, 1999, transmitting a report, "Statistics of Hawaii Agriculture 1997," prepared by the Hawaii Agricultural Statistics Service, was placed on file.

Gov. Msg. No. 255, submitting for consideration and confirmation to the Board of Public Accountancy, the nominations of LOWELL T. NAGAUE and LYNN S.H. HIROMOTO, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 256, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nominations of BARBARA M. KOKUBUN and MILTON Y. MIGITA, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 257, submitting for consideration and confirmation to the Convention Center Authority, the nominations of KATSUMI TANAKA, term to expire June 30, 2002; and GLENN K. MURANAKA and JEFF J. COELHO, terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 258, submitting for consideration and confirmation to the Hawai'i Community Development Authority, the nomination of PATRICK T. KUBOTA, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 259, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nominations of: ISABELLA A. ABBOTT, Ph.D., term to expire June 30, 2000; and GEORGINA K. KAWAMURA and BURT H. SAKATA, terms to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 260, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of JACQUELINE A. PARNELL, MAURICE TAMURA, JOHN JOSEPH MCHUGH, JR., Ph.D., SUSAN MILLER and BARRY MICHAEL BRENNAN, Ph.D., terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 261, submitting for consideration and confirmation to the Board of Pharmacy, the nominations of JASON MOON and KENT KOIKE, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of JIM BECKER, STEVE HIRANO, RICKY C. MANAYAN and SCOTT SHIRAI, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 263, submitting for consideration and confirmation as State Administrator, State Health Planning and Development Agency, the nomination of MARILYN A. MATSUNAGA, term to expire June 30, 2003, was referred to the Committee on Health and Human Services.

HOUSE COMMUNICATION

Hse. Com. No. 402, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 850, H.D. 1;
H.B. No. 1061, H.D. 2;
H.B. No. 1086;
H.B. No. 1203, H.D. 1;
H.B. No. 1548, H.D. 1,

was read by the Clerk and was placed on file.

ORDER OF THE DAY

RE-REFERRAL OF
SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
No. 110	Committee on Economic Development, then to the Committee on Ways and Means
No. 128	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

RE-REFERRAL OF
SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 48	Committee on Economic Development, then to the Committee on Ways and Means

ADJOURNMENT

At 12:13 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., Thursday, April 1, 1999.

FORTY-SECOND DAY

Thursday, April 1, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable David Matsuura, 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 Forty-First Day.

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

Senator Taniguchi introduced Barry and Vivian Bergquist and their son, David, who were visiting from Minnesota.

Senator Iwase congratulated the Iolani High School Varsity Girls Softball Team on capturing the 1999 Varsity Girls State Softball Championship and introduced the following representatives of the team: Coach Chris Shimabukuro; and Co-Captains Mitzi Ing, Saori Takahashi and Liane Tominaga.

Senator Iwase then congratulated the Iolani High School Varsity Girls Soccer Team on their success in capturing the 1999 Varsity Girls State High School Soccer Championship and introduced the following individuals: Coaches George Anne Derby, Kari Morioka and Michelle Toyama; and Co-Captains Kristen Masunaga, Jodie Tanga and Alisa Sato.

At 11:51 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.

STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1195) recommending that S.C.R. No. 97, 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.C.R. No. 97, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1196) recommending that S.R. No. 40, 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. 40, S.D. 1, entitled: "SENATE RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1197) recommending that S.C.R. No. 179, 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.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MORE PUBLIC EDUCATION ON THE MERITS OF VOLUNTEER SERVICE AND ON

EFFECTIVE METHODS FOR RECRUITING AND RETAINING VOLUNTEERS," was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1198) recommending that S.C.R. No. 201, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1199) recommending that S.R. No. 87, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand Com. Rep. No. 1200) recommending that S.C.R. No. 102, 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.C.R. No. 102, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A STUDY GROUP TO RECOMMEND ENVIRONMENTAL TAXES AND REDUCTION OF OTHER TAXES," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1201) recommending that S.C.R. No. 161 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. 161, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CARPENTERS' TRUST FUND AND OTHER UNION TRUST FUNDS TO WORK WITH THE CONSTRUCTION INDUSTRY EMPLOYERS TO RESOLVE DIFFERENCES OVER THE EMPLOYERS' OBLIGATION TO MAKE CONTRIBUTIONS TO THE UNION TRUST FUND," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1202) recommending that H.B. No. 1623, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1623, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1203) recommending that the Senate advise and consent to the nomination of CHESTER C. KUNITAKE to the Hawai'i Labor Relations Board, in accordance with Gov. Msg. No. 187.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1203 and Gov. Msg. No. 187 was deferred until Monday, April 5, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1204) recommending that the Senate advise and consent to the nominations of GARY MCKEAGUE, CLAYTON E. WINGER, MELVIN MIYAMOTO, J. PATRICK ROLISON and ALLAN L. PARKER to the Hoisting Machine Operators Advisory Board, in accordance with Gov. Msg. No. 190.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1204 and Gov. Msg. No. 190 was deferred until Monday, April 5, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1205) recommending that the Senate advise and consent to the nomination of BRIAN L. SEN to the Board of Trustees, Deferred Compensation Plan, in accordance with Gov. Msg. No. 183.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1205 and Gov. Msg. No. 183 was deferred until Monday, April 5, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1206) recommending that the Senate advise and consent to the nominations of LINDA R. LAI, GLADYS M. KOTAKI and BOB T. KITA to the Civil Service Commission, in accordance with Gov. Msg. No. 215.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1206 and Gov. Msg. No. 215 was deferred until Monday, April 5, 1999.

At 11:58 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.

ORDER OF THE DAY

MATTER DEFERRED FROM TUESDAY, MARCH 30, 1999

AGREE/DISAGREE

S.B. No. 1125, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1125 and requested a conference on the subject matter thereof.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Today, in Commerce and Consumer Protection one of the resolutions we took up had to do with slamming and cramming. Slamming and cramming had to do with abuses, apparently, with the telecommunications industry. However, Mr.

President, in watching the news last night and hearing the comments from our Governor, I felt like we've been slammed and crammed and maybe more.

"The Governor was talking about the budgetary problems. And you know, I've been asking since last July, Where is that \$156 million surplus that the Governor was talking about? I don't know of anybody that ever saw it. I kept asking to see it, and I kept asking about the economic turn-around. And now I hear, Mr. President, that the turn-around is not here just yet, but what is here is a call for more taxes from the Governor, and a call that we're having problems with the budget, and the possibility of the closure of the state hospital in Kaneohe, and the possibility of having a special session in either June or October.

"Mr. President, fellow colleagues, haven't we learned our lesson? First of all, we spent 42 days here so far; we've passed two bills, although the hula bill is close to being passed so we will have an official State dance. We haven't done anything to improve the economy. We haven't done anything to lighten the load of our families. We haven't done anything to help small business people, but we keep talking about it. And now we're talking about raising taxes and having a special session. A special session for what, Mr. President? If we would do our jobs, if we would do our work like our constituents have to do, if we would meet our obligations, if we would put in the time and have some results, we wouldn't even have to talk about a special session because, believe me colleagues, there's nothing special about a special session that can't deal with the budgetary problems that we ourselves have helped create.

"The idea that we would talk about more taxes, tax increases, at a time when our people are suffering so much, when we're still losing businesses, when we're still losing people from this state, appalls me. And so, taking a leaf out of today's Commerce and Consumer Protection Committee, I would urge this body to get even more serious, do the things that we have to do in the time that we have allotted, because that's what people sent us here for, and stop this slamming, cramming, jamming, whamming, and most of all, ramming the taxpayers of this State.

"Thank you, Mr. President."

STANDING COMMITTEE REPORT

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive Stand. Com. Rep. No. 1207 from the Committee on Ways and Means. In consequence thereof, and subsequent to its recessing at 12:08 o'clock p.m., the Senate took the following action on Stand. Com. Rep. No. 1207 and H.B. No. 1013, S.D. 1:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1207) recommending that H.B. No. 1013, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1207 and H.B. No. 1013, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," was deferred until Monday, April 5, 1999.

ADJOURNMENT

At 2:32 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, April 5, 1999.

FORTY-THIRD DAY

Monday, April 5, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Jerry Rauckhorst, Director, Catholic Charities Diocese 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 Forty-Second Day.

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

Senator D. Ige congratulated the University of Hawaii Community College System on the occasion of its 35th anniversary and introduced Dr. Joyce Tsunoda, Senior Vice President of the University of Hawaii and Chancellor of the University Colleges.

Senator Tam, on behalf of Senator Chun Oakland and himself, introduced and recognized two individuals from Ma'ema'e Elementary School -- Stephanie Koga, cafeteria manager, and Dennis Takatsuki, a school counselor who was represented by second graders Christopher Chin and Kagen Aby -- and commended them on their significant achievements in educating the young citizens of Hawaii. Accompanying the honorees was Beatrice Zane, principal of Ma'ema'e Elementary School.

Senator Tam then introduced and congratulated the 1999 Miss Chinatown and her court -- Queen Stephanie Lai Cook Ching, First Princess Tiffany Mei Lan Asing and Second Princess Racyne Kwai Lan Young. Accompanying the young ladies was Paul Chun, director of the Chinatown Merchants Association.

Senator Fukunaga commended and congratulated Liberty House on 150 years of offering quality merchandise and excellent service to the people of Hawaii and introduced the following individuals: John Monahan, president and CEO of Liberty House; Marietta Bustamente, executive director of the American Cancer Society; David Nakada, executive director of the Boys and Girls Club; Loreta Yajima, president and CEO of the Children's Discovery Center; Valerie Adams, executive director of the Honolulu Zoological Society; and Dr. Kenneth Mortimer, president of the University of Hawaii.

At this time, the Chair appointed Senators Tam, Chun Oakland and Chun to escort Queen Stephanie Ching to the podium to address the members of the Senate.

Queen Stephanie addressed the members of the Senate and their guests as follows:

"Good morning, everyone. On behalf of the Chinatown Merchants' Association, Tiffany, Racyne and I would like to say thank you from the bottom of our hearts for taking the time out of your busy schedules in honoring us today.

"We've had a tremendous seven months, so far, representing the Chinese community, and we hope that we've been doing a great job in helping to perpetuate our culture. We hope that all of you can help us, as well, in perpetuating the Chinese culture and other cultures, for that matter.

"Thank you."

At 12:04 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.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 31 and 32) were read by the Clerk and were placed on file:

Dept. Com. No. 31, from the Office of Elections dated March 31, 1999, transmitting a report in response to S.C.R. No. 31 (1999), urging a full, complete, and duly supervised audit of the 1998 General Election results.

Dept. Com. No. 32, from the State Auditor dated March 31, 1999, transmitting the "Report of the Election Oversight Committee on the Audit of the 1998 General Election."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 403 to 416) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 403, transmitting H.C.R. No. 9, H.D. 1, which was adopted by the House of Representatives on April 1, 1999, was placed on file.

By unanimous consent, H.C.R. No. 9, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL LITIGATION OF THE GASOLINE CASE, AND TO EXPRESS HOUSE MEMBERS' SUPPORT FOR THIS EFFORT," was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary.

Hse. Com. No. 404, returning S.B. No. 186, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 186, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 405, returning S.B. No. 592, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 592, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 406, returning S.B. No. 594, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 407, returning S.B. No. 630, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 630, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 408, returning S.B. No. 631, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 631, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 409, returning S.B. No. 829, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 829, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 410, returning S.B. No. 919, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 919, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 411, returning S.B. No. 1118, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1118, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 412, returning S.B. No. 1119, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1119, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 413, returning S.B. No. 1502, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1502, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Tuesday, April 6, 1999.

Hse. Com. No. 414, returning S.B. No. 922, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, was placed on file.

Hse. Com. No. 415, returning S.B. No. 1122, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, was placed on file.

Hse. Com. No. 416, returning S.B. No. 616, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 616, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred until Tuesday, April 6, 1999.

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

The Senate reconvened at 12:22 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Hanabusa, jointly with Senator Kawamoto, 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. 1208)

recommending that S.R. No. 59 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 59, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS," 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. 1209) recommending that S.R. No. 60 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 60, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON WATER, LAND, AND HAWAIIAN AFFAIRS TO CONDUCT AN INVENTORY OF EARLY CHILDHOOD CARE SERVICES PROVIDED TO NATIVE HAWAIIANS," was adopted.

Senator Hanabusa, jointly with Senator Kawamoto, 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. 1210) recommending that S.C.R. No. 140 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 140, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO 35 TO 55 YEAR LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, 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. 1211) recommending that S.R. No. 61 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO 35 TO 55 YEAR LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," 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. 1212) recommending that S.C.R. No. 190, 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.C.R. No. 190, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT BY THE LEGISLATURE FOR THE COASTAL EROSION MANAGEMENT PLAN OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," 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.

1213) recommending that S.C.R. No. 195, 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.C.R. No. 195, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, 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. 1214) recommending that S.C.R. No. 139 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 139, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS," 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. 1215) recommending that H.B. No. 160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 7, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1216) recommending that H.B. No. 996 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, Stand Com. Rep. No. 1216 and H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS," were recommitted to the Committee on Judiciary.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1217) recommending that H.B. No. 1485 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1485, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1218) recommending that S.C.R. No. 4, 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. 4, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No.

1219) recommending that S.C.R. No. 60, 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.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF EXPANDING THE DEFINITION OF CERTIFIED SUBSTANCE ABUSE STAFF TO INCLUDE PSYCHOLOGISTS CERTIFIED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION COLLEGE OF PROFESSIONAL PSYCHOLOGY IN THE TREATMENT OF ALCOHOL AND OTHER PSYCHOACTIVE SUBSTANCE USE DISORDERS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1220) recommending that S.C.R. No. 75, 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.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FLUORIDATION OF DRINKING WATER," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1221) recommending that S.C.R. No. 99, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 99, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII APPLESEED PUBLIC INTEREST LAW CENTER (HAWAII APPLESEED) TO CONTINUE ITS WORK ON A COMPREHENSIVE REVIEW OF HAWAII STATUTES RELATING TO CHILD PROTECTION," was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1222) recommending that S.C.R. No. 120, 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.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HEALTH CARE COSTS RELATED TO THE TREATMENT OF BREAST AND CERVICAL CANCER IN HAWAII," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1223) recommending that S.C.R. No. 152, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, 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 PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM 'MEDICAL NECESSITY' TO DETERMINE THE MOST APPROPRIATE DEFINITION OF 'MEDICAL NECESSITY,' OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED," was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1224) recommending that S.C.R. No. 194, 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.C.R. No. 194, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," 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. 1225) recommending that S.C.R. No. 103, 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.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD," 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. 1226) recommending that S.R. No. 43, 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. 43, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD," 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. 1227) recommending that S.C.R. No. 116, 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.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE," 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. 1228) recommending that S.R. No. 54, 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. 54, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE," 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. 1229) 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 Chun, 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 COUNTIES TO ENACT

ORDINANCES TO IMPLEMENT A SYSTEM OF LAND VALUE TAXATION IN EACH COUNTY," 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. 1230) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 75, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO ENACT ORDINANCES TO IMPLEMENT A SYSTEM OF LAND VALUE TAXATION IN EACH COUNTY," 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. 1231) recommending that S.C.R. No. 182, 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. 182, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADJUTANT GENERAL TO REPORT ON TERRORIST INCIDENT PREPAREDNESS CAPABILITIES," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1232) recommending that S.C.R. No. 212, 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.C.R. No. 212, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE UNITED STATES NAVY AT PEARL HARBOR, THE CITY AND COUNTY OF HONOLULU, AND THE AIEA NEIGHBORHOOD BOARD NO. 20 TO PLAN AND IMPLEMENT A PROGRAM TO BEAUTIFY THE GATEWAY INTO AIEA," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1233) recommending that S.C.R. No. 26, 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 joint report of the Committees was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1234) recommending that H.B. No. 622, H.D. 2 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1234 and H.B. No. 622, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, April 6, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 1235) recommending that H.B. No. 1277, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1235 and H.B. No. 1277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1236) recommending that H.B. No. 1034 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1034, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1237) recommending that H.B. No. 1444 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1444, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1238) recommending that H.B. No. 992, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 992, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1239) recommending that H.B. No. 1430, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1430, H.D. 1, 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 OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1240) recommending that H.B. No. 877, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1240 and H.B. No. 877, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," was deferred until Wednesday, April 7, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1241) recommending that H.B. No. 970, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1241 and H.B. No. 970, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1242) recommending that H.B. No. 971, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1242 and H.B. No. 971, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1243) recommending that H.B. No. 972, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1243 and H.B. No. 972, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1244) recommending that H.B. No. 973, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1244 and H.B. No. 973, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1245) recommending that H.B. No. 1257, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1245 and H.B. No. 1257, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1246) recommending that H.B. No. 1286, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1246 and H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1247) recommending that H.B. No. 1594, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1247 and H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN

INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1248) recommending that H.B. No. 1616, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1248 and H.B. No. 1616, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1249) recommending that H.B. No. 1617, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1249 and H.B. No. 1617, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1250) recommending that H.B. No. 1621, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1250 and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1251) recommending that H.B. No. 98, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1251 and H.B. No. 98, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONUS," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1252) recommending that H.B. No. 1287, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1252 and H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1253) recommending that H.B. No. 221, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1253 and H.B. No. 221, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1254) recommending that H.B. No. 801, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1254 and H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1255) recommending that H.B. No. 854, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1255 and H.B. No. 854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1256) recommending that H.B. No. 1085, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1256 and H.B. No. 1085, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1257) recommending that H.B. No. 849, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1257 and H.B. No. 849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1258) recommending that H.B. No. 1114, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1258 and H.B. No. 1114, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, April 6, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1259) recommending that H.B. No. 1595, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1259 and H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES," was deferred until Tuesday, April 6, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1203 (Gov. Msg. No. 187):

Senator Nakata moved that Stand. Com. Rep. No. 1203 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of CHESTER C. KUNITAKE to the Hawai'i Labor Relations Board, term to expire June 30, 2005, seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

Stand. Com. Rep. No. 1204 (Gov. Msg. No. 190):

Senator Nakata moved that Stand. Com. Rep. No. 1204 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

GARY MCKEAGUE and CLAYTON E. WINGER, terms to expire June 30, 2000;

MELVIN MIYAMOTO and J. PATRICK ROLISON, terms to expire June 30, 2001; and

ALLAN L. PARKER, term to expire June 30, 2002,

seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

Stand. Com. Rep. No. 1205 (Gov. Msg. No. 183):

Senator Nakata moved that Stand. Com. Rep. No. 1205 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of BRIAN L. SEN to the Board of Trustees, Deferred Compensation Plan, term to expire June 30, 2003, seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

Stand. Com. Rep. No. 1206 (Gov. Msg. No. 215):

Senator Nakata moved that Stand. Com. Rep. No. 1206 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations to the Civil Service Commission of the following:

LINDA R. LAI, term to expire June 30, 2001;

GLADYS M. KOTAKI, term to expire June 30, 2002; and

BOB T. KITA, term to expire June 30, 2003,

seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

THIRD READING

H.B. No. 1623, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1623, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

Stand. Com. Rep. No. 1207 (H.B. No. 1013, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1207 was adopted and H.B. No. 1013, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Iwase, Sakamoto, Tanaka).

STANDING COMMITTEE REPORTS

On motion by Senator Chun, 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 12:26 o'clock p.m., the Senate took the following actions:

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1260) recommending that S.C.R. No. 104, as amended in S.D. 1, be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 104, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," was referred to the Committee on Labor and Environment.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1261) recommending that S.R. No. 44, as amended in S.D. 1, be referred to the Committee on Labor and Environment.

On motion by Senator Chun, 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 THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," was referred to the Committee on Labor and Environment.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1262) recommending that S.C.R. No. 178 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1263) recommending that S.R. No. 81 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 1264) recommending that S.C.R. No. 207 be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TO DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII COMMUNITY DEVELOPMENT ASSOCIATION TO COMMUNICATE TO THE DIRECTOR OF TRANSPORTATION THEIR INTENTIONS REGARDING PIER 2 AT HONOLULU HARBOR," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1265) recommending that S.C.R. No. 12, 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.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE FEDERAL MILLION SOLAR ROOFS INITIATIVE," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1266) recommending that S.C.R. No. 23, 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.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CREATE A BRANCH WITHIN THE RESEARCH AND ECONOMIC ANALYSIS DIVISION DEVOTED TO RESEARCH AND PROMOTION EFFORTS IN SUPPORT OF HAWAII'S CONSTRUCTION INDUSTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1267) recommending that S.R. No. 6, 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. 6, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CREATE A BRANCH WITHIN THE RESEARCH AND ECONOMIC ANALYSIS DIVISION DEVOTED TO RESEARCH AND PROMOTION EFFORTS IN SUPPORT OF HAWAII'S CONSTRUCTION INDUSTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1268) recommending that S.C.R. No. 34, 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.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1269) recommending that S.C.R. No. 47, 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.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ESTABLISH AND IMPLEMENT A TOURISM MARKETING AND PROMOTION PLAN TO ATTRACT PARTICIPANTS AND SPECTATORS OF THE 2000 SUMMER OLYMPICS IN SYDNEY, AUSTRALIA TO HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1270) recommending that S.C.R. No. 48, 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.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO DEVELOPMENT OF A BIOTECHNOLOGY INDUSTRY IN HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1271) recommending that S.C.R. No. 49, 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.C.R. No. 49, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1272) recommending that S.C.R. No. 51, 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.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF ENTREPRENEURIAL PATHWAYS FOR ECONOMIC GROWTH INTO THE NEW MILLENNIUM," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1273) recommending that S.C.R. No. 107, 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.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF JAPAN'S IMPORT BEHAVIOR TO ASSIST AND IMPROVE THE EFFORTS OF HAWAII'S BUSINESSES IN CONDUCTING BUSINESS WITH THAT COUNTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1274) recommending that S.R. No. 47, 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. 47, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF JAPAN'S IMPORT BEHAVIOR TO ASSIST AND IMPROVE THE EFFORTS OF HAWAII'S BUSINESSES IN CONDUCTING BUSINESS WITH THAT COUNTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1275) recommending that S.C.R. No. 117, 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.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1276) recommending that S.R. No. 55, 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. 55, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1277) recommending that S.C.R. No. 118, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1278) recommending that S.R. No. 56, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 56, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1279) recommending that S.C.R. No. 126, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE USE OF THE HAWAII CONVENTION CENTER BY HAWAII STATE GOVERNMENT AGENCIES," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1280) recommending that S.C.R. No. 177 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 177, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES ENGAGED IN THE TOURISM INDUSTRY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1281) recommending that S.C.R. No. 198, 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.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ABACADABRA 2000, WAIKIKI YACHT CLUB'S ALOHA RACING CHALLENGE TO THE ROYAL NEW ZEALAND YACHT SQUADRON FOR AMERICA'S CUP XXX," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1282) recommending that S.C.R. No. 204, 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.C.R. No. 204, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1283) recommending that S.R. No. 93, 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. 93, entitled: "SENATE RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE," was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1284) 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 206, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SEEK THE CREATION OF A MULTI-PURPOSE SPORTS COMPLEX," was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1285) recommending that S.C.R. No. 221, 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 majority of the Committee was adopted and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES INVESTIGATE WAYS TO DEVELOP AND PROMOTE THE COMMERCIAL HUNTING INDUSTRY ON PRIVATE LANDS," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a joint report (Stand Com. Rep. No. 1286) recommending that S.C.R. No. 43, 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 joint report of the Committees was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a joint report (Stand Com. Rep. No. 1287) recommending that S.R. No. 23, 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 joint report of the Committees was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a joint report (Stand Com. Rep. No. 1288) recommending that S.C.R. No. 202 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a joint report (Stand Com. Rep. No. 1289) recommending that S.R. No. 88 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 88, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," 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. 1290) recommending that S.C.R. No. 86, 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.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," 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. 1291) recommending that S.C.R. No. 160, 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.C.R. No. 160, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF WRITTEN CRITERIA TO ASSESS THE QUALIFICATIONS OF JUDICIAL APPLICANTS AND A FEASIBILITY STUDY ON MERIT PAY INCENTIVES FOR JUDGES AND JUSTICES," 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. 1292) 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 Chun, 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 HAWAII SUPREME COURT TO REVIEW COURT RULES AND, IF NECESSARY, TO ESTABLISH GUIDELINES FOR GIFT-GIVING BY COURT REPORTERS," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1293) recommending that S.C.R. No. 109, 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 joint report of the Committees was adopted and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RELOCATION OF THE QUEEN LILI'UOKALANI STATUE," 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. 1294) recommending that S.C.R. No. 115, 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.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND

CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY," 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. 1295) recommending that S.R. No. 53, 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. 53, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 1296) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 217, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPROVEMENTS TO THE HONOKOHAU HARBOR ON THE ISLAND OF HAWAII," 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. 1297) recommending that S.C.R. No. 203, 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.C.R. No. 203, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO MAKE AN APPROPRIATION TO FUND HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE," 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. 1298) recommending that S.R. No. 89, 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. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO MAKE AN APPROPRIATION TO FUND HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Inouye, for the Committee on Health and Human Services and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 1299) recommending that S.C.R. No. 18 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1300) recommending that S.C.R. No. 91, as amended in S.D. 1, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," was referred to the Committee on Education and Technology.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1301) recommending that S.C.R. No. 121, 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 joint report of the Committees was adopted and S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1302) recommending that S.C.R. No. 149, 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.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1303) recommending that S.C.R. No. 151, 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.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1304) recommending that S.C.R. No. 199 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S

FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1305) recommending that S.C.R. No. 64, 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 joint report of the Committees was adopted and S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY HANDICAPPED PERSONS," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1306) recommending that S.C.R. No. 141, 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 joint report of the Committees was adopted and S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE AND COUNTY WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1307) recommending that S.R. No. 62, 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 joint report of the Committees was adopted and S.R. No. 62, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE AND COUNTY WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senators Kanno and Taniguchi, for the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, presented a joint report (Stand Com. Rep. No. 1308) recommending that S.C.R. No. 188 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senators Kanno and Taniguchi, for the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, presented a joint report (Stand Com. Rep. No. 1309) recommending that S.R. No. 85 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Chun Oakland, for the Committee on Economic Development and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1310) recommending that S.C.R. No. 50, 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 joint report of the Committees was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE POTENTIAL OF ESTABLISHING A MEDICINAL HERB INDUSTRY IN THE STATE," was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1311) recommending that S.C.R. No. 132, as amended in S.D. 1, be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," was referred to the Committee on Labor and Environment.

Senator Inouye, jointly with Senator Chun Oakland, for the Committee on Economic Development and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1312) recommending that S.R. No. 72 be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 72, entitled: "SENATE RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY," was referred to the Committee on Education and Technology.

Senator Inouye, jointly with Senator Chun Oakland, for the Committee on Economic Development and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1313) recommending that S.C.R. No. 164 be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY," was referred to the Committee on Education and Technology.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1314) recommending that S.C.R. No. 165, 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 majority of the Committee was adopted and S.C.R. No. 165, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1315) recommending that S.R. No. 73, 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 majority of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1316) recommending that S.C.R. No. 6, 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.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE AND SCHOOL OF NURSING TO REQUIRE COURSES IN PALLIATIVE CARE AND PAIN MANAGEMENT IN THEIR CURRICULA," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1317) recommending that S.R. No. 9, 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. 9, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1318) recommending that S.C.R. No. 28, 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.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1319) recommending that S.C.R. No. 70, 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.C.R. No. 70, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO SUSPEND THE ESTABLISHMENT OF ANY ADDITIONAL MIDDLE SCHOOLS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1320) recommending that S.R. No. 97, 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. 97, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO SUSPEND THE ESTABLISHMENT OF ANY ADDITIONAL MIDDLE SCHOOLS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1321) recommending that S.C.R. No. 83, 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.C.R. No. 83, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE ESTABLISHMENT OF AN INSURANCE INSTITUTE AT THE COLLEGE OF BUSINESS ADMINISTRATION OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1322) recommending that S.R. No. 37, 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. 37, S.D. 1, entitled: "SENATE RESOLUTION URGING SUPPORT FOR THE ESTABLISHMENT OF AN INSURANCE INSTITUTE AT THE COLLEGE OF BUSINESS ADMINISTRATION OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1323) recommending that S.C.R. No. 105, 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.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1324) recommending that S.R. No. 45, 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. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1325) recommending that S.C.R. No. 131, 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.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE DEPARTMENT OF EDUCATION'S LANGUAGE ARTS PROGRAM FOR THE HAWAII CREOLE ENGLISH SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1326) 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 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 DEVELOPMENT OF INTERNATIONAL SCIENCE TEACHER TRAINING CENTER," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1327) recommending that S.R. No. 74, 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. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF INTERNATIONAL SCIENCE TEACHER TRAINING CENTER," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1328) recommending that S.C.R. No. 176, 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.C.R. No. 176, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PARTNER WITH BISHOP MUSEUM FOR RESEARCH ASSISTANCE," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1329) recommending that S.C.R. No. 180, 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.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO REPORT ON PLANS FOR THE IMPROVEMENT OF MARINE EDUCATION," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1330) 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 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 LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE DEPARTMENT OF EDUCATION'S PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand Com. Rep. No. 1331)

recommending that S.R. No. 96, 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. 96, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE DEPARTMENT OF EDUCATION'S PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," 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. 1332) recommending that S.C.R. No. 36, 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.C.R. No. 36, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INITIATE, SUPPORT, AND ASSIST EFFORTS TO OBTAIN FEDERAL FUNDING FOR A STUDY ON THE ACCESSIBILITY OF DISASTER-RELATED INFORMATION, SERVICES, AND RESOURCES TO PERSONS WITH DISABILITIES AND FOR THE NECESSARY IMPROVEMENTS TO HAWAII'S CIVIL DEFENSE SYSTEM TO MAKE IT MORE ACCESSIBLE TO PERSONS WITH DISABILITIES," 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. 1333) recommending that S.R. No. 14, 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. 14, S.D. 1, entitled: "SENATE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INITIATE, SUPPORT, AND ASSIST EFFORTS TO OBTAIN FEDERAL FUNDING FOR A STUDY ON THE ACCESSIBILITY OF DISASTER-RELATED INFORMATION, SERVICES, AND RESOURCES TO PERSONS WITH DISABILITIES AND FOR THE NECESSARY IMPROVEMENTS TO HAWAII'S CIVIL DEFENSE SYSTEM TO MAKE IT MORE ACCESSIBLE TO PERSONS WITH DISABILITIES," 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. 93, 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.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY REGARDING THE ISSUE OF PERSONAL PRIVACY AND COMMERCIAL USE OF PERSONAL INFORMATION," 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.C.R. No. 127, 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.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE IF HAWAII'S ADMINISTRATIVE PROCEDURE ACT AND PUBLIC AGENCY MEETINGS AND RECORDS LAWS ARE

CURRENTLY DRAFTED TO ENSURE THAT DISCUSSIONS, DELIBERATIONS, DECISIONS, AND ACTIONS OF THE GOVERNMENT ARE CONDUCTED AS OPENLY AS POSSIBLE," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator D. Ige, for the Committee on Judiciary and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1336) recommending that S.C.R. No. 158, 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 joint report of the Committees was adopted and S.C.R. No. 158, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator D. Ige, for the Committee on Judiciary and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1337) recommending that S.R. No. 66, 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 joint report of the Committees was adopted and S.R. No. 66, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1338) recommending that S.C.R. No. 185, 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 joint report of the Committees was adopted and S.C.R. No. 185, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE RESTORATION OF MOKU'ULA AND LOKO O MOKUHINIA," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1339) recommending that S.R. No. 82, 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 joint report of the Committees was adopted and S.R. No. 82, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING THE RESTORATION OF MOKU'ULA AND LOKO O MOKUHINIA," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1340) recommending that S.C.R. No. 110, 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.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S

DIVERSE CULTURES," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1341) recommending that S.R. No. 48, 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. 48, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," was referred to the Committee on Ways and Means.

Senator Tam, jointly with Senator D. Ige, for the Committee on Government Operations and Housing and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1342) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 162, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EVERY STATE AGENCY CONSULT WITH THE STATE PROCUREMENT POLICY BOARD BEFORE PURCHASING OR INSTALLING COMPUTER HARDWARE OR SOFTWARE," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1343) 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 Chun, 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 THE STATE TO DISALLOW STATE EMPLOYEES FROM DRIVING HOME STATE-OWNED VEHICLES," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1344) recommending that S.R. No. 98, 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. 98, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND HOUSING TO ASSESS PRODUCTIVITY AND EFFICIENCY IN STATE AND COUNTY GOVERNMENT," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1345) recommending that S.R. No. 69, 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. 69, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE CONDITIONS OF THE CAPITOL REFLECTING POND," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1346) recommending that S.C.R. No. 172, 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.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1347) recommending that S.C.R. No. 88, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

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 ESTABLISHMENT OF A TASK FORCE TO STUDY THE PROBLEMS ASSOCIATED WITH THE CONDOMINIUM PROPERTY REGIME LAW, AND PUBLIC HEARINGS ON SUBJECTING CONDOMINIUMS TO COUNTY ZONING ORDINANCES AND DEVELOPMENT REQUIREMENTS," was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, jointly with Senator Kawamoto, for the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1348) recommending that S.C.R. No. 144, 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 joint report of the Committees was adopted and S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1349) recommending that S.C.R. No. 129, 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 joint report of the Committees was adopted and S.C.R. No. 129, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1350) recommending that S.C.R. No. 136, 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.C.R. No. 136, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF INCLUDING NATUROPATHIC COVERAGE IN THE PERSONAL INJURY PROTECTION BENEFITS OF THE MOTOR VEHICLE INSURANCE LAW," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1351) recommending that S.C.R. No. 147, 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.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE AND DENTAL CARE PLANS, AND AN ASSESSMENT OF THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1352) recommending that S.R. No. 94, 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. 94, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE AND DENTAL CARE PLANS, AND AN ASSESSMENT OF THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1353) 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 148, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION, UPON RECEIPT OF HAWAIIAN ELECTRIC COMPANY'S APPLICATION FOR APPROVAL OF THE PROPOSED KAMOKU-PUKELE 138,000 VOLT TRANSMISSION LINE PROJECT IN HONOLULU, TO BIFURCATE THE DOCKET IN ORDER TO FIRST CONSIDER THE ISSUE OF NEED," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1354) recommending that S.R. No. 63, 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. 63, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION, UPON RECEIPT OF HAWAIIAN ELECTRIC COMPANY'S APPLICATION FOR APPROVAL OF THE PROPOSED KAMOKU-PUKELE 138,000 VOLT TRANSMISSION LINE PROJECT IN HONOLULU, TO BIFURCATE THE DOCKET IN ORDER TO FIRST CONSIDER THE ISSUE OF NEED," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand Com. Rep. No. 1355) recommending that S.C.R. No. 193, 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 joint report of the Committees was adopted and S.C.R. No. 193, S.D. 1, 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 referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1356) recommending that S.C.R. No. 14, 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.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO SUBMIT A STATUS REPORT ON DOCKET NO. 96-0493 RELATING TO THE FEASIBILITY OF INCREASING COMPETITION IN THE STATE'S ELECTRIC UTILITY INDUSTRY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1357) recommending that S.C.R. No. 5, 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 joint report of the Committees was adopted and S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A STATE TASK FORCE TO STUDY THE REGULATION OF THE HEALTH PROFESSIONS AND REPORT RECOMMENDATIONS TO BETTER PROTECT HEALTH CARE CONSUMERS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand Com. Rep. No. 1358) recommending that S.C.R. No. 30, 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.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A POLICY AND ISSUE STUDY CONCERNING THE UNDERGROUNDING OF OVERHEAD UTILITY FACILITIES," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1359) recommending that S.C.R. No. 90, 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 joint report of the Committees was adopted and S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING RELEASE OF ALL RESTRICTED GENERAL FUNDS DUE TO THE BUDGETING OF FEDERAL IMPACT AID RECEIPTS DIRECTLY TO THE DEPARTMENT OF EDUCATION AND THAT THE BUDGET FOR SCHOOL OPERATIONS

NOT BE REDUCED BY FEDERAL IMPACT AID," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a joint report (Stand Com. Rep. No. 1360) 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 119, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO PROVIDE ALL HAWAII PUBLIC SCHOOL CHILDREN WITH THE OPPORTUNITY TO HAVE A NUTRITIOUS BREAKFAST," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1361) recommending that S.C.R. No. 145 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 145, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1362) recommending that S.R. No. 90 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1363) recommending that S.C.R. No. 77, 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.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTIVE SERVICES ROUNDTABLE TO FORM A TASK FORCE TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1364) recommending that S.C.R. No. 122, 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.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A HUNGER AND FOOD INSECURITY AD HOC COMMITTEE TO DEVELOP A SYSTEM FOR PROVIDING VALID AND RELIABLE ESTIMATES OF HUNGER AND FOOD INSECURITY," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1365) recommending that S.C.R. No. 63, 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.C.R. No. 63, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PATIENTS' BILL OF RIGHTS TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF CREATING A DATA BANK WITH PROVIDER INFORMATION FOR ACCESS BY HEALTH CARE CONSUMERS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1366) recommending that S.C.R. No. 74, 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.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HEALTH CARE INDUSTRY IN HAWAII TO DEVELOP CLINICALLY SOUND PROTOCOLS AND MANAGEMENT STRATEGIES TO ADDRESS LATEX ALLERGIES AND EDUCATE HEALTH CARE WORKERS AND PATIENTS ABOUT LATEX ALLERGIES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand Com. Rep. No. 1367) recommending that S.R. No. 28, 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. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PATIENTS' BILL OF RIGHTS TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF CREATING A DATA BANK WITH PROVIDER INFORMATION FOR ACCESS BY HEALTH CARE CONSUMERS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand Com. Rep. No. 1368) recommending that S.C.R. No. 113, 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 joint report of the Committees was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT, AND HAWAII HEALTH SYSTEMS CORPORATION, WITH THE ASSISTANCE OF THE UNIVERSITY OF HAWAII SCHOOL OF NURSING, TO DEVELOP A PROGRAM ENABLING NURSES EMPLOYED BY THE STATE OF HAWAII TO OBTAIN ADVANCED NURSING DEGREES," was referred to the Committee on Ways and Means

ADJOURNMENT

At 5:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 6, 1999.

FORTY-FOURTH DAY

Tuesday, April 6, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Stuart Shigemitsu, Moanalua Gardens Missionary 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-Third Day.

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

Senator Chun Oakland introduced the following 1999 YWCA Annual Leader Luncheon Honorees: Kitty Lagareta, Maile Meyer, Jo Ann Moe and Betty White. Accompanying the honorees was Susan Au Doyle, executive director of the YWCA.

Senator Chumbley then introduced and congratulated Wadsworth Y.H. Yee on the occasion of his appointment as the "Ambassador of Goodwill" for the Commonwealth of the Northern Mariana Islands. Accompanying Mr. Yee was his wife, Aileen Kitaoka-Yee, and sons -- Jeffrey, Alan, Randall and Brian.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 264 and 265) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 264, informing the Senate that on April 1, 1999, he signed into law House Bill No. 1151 as Act 3, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," was placed on file.

Gov. Msg. No. 265, submitting for consideration and consent, the nomination of JOHN S.W. LIM to the office of Associate Judge, Intermediate Appellate Court, 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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 417 to 426) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 417, transmitting H.C.R. No. 11, which was adopted by the House of Representatives on April 5, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION URGING COUNSELORS, CLERGY OF ALL RELIGIONS, FAITH HEALERS, AND HEALTH CARE PROFESSIONALS TO INTEGRATE SPIRITUAL AND CULTURAL COUNSELING SERVICES INTO THE HEALTH CARE SYSTEM," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 418, transmitting H.C.R. No. 133, H.D. 1, which was adopted by the House of Representatives on April 5, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 133, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR PROCLAIM AUGUST 15 TO AUGUST 21, 1999, AS OFFICIAL YO-YO WORLD COMPETITION WEEK IN THE STATE OF HAWAII," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 419, transmitting H.C.R. No. 166, which was adopted by the House of Representatives on April 5, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ABRACADABRA 2000, WAIKIKI YACHT CLUB'S ALOHA RACING CHALLENGE TO THE ROYAL NEW ZEALAND YACHT SQUADRON FOR AMERICA'S CUP XXX," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 420, transmitting H.C.R. No. 249, H.D. 1, which was adopted by the House of Representatives on April 5, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 249, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED NATIONS CHILDREN'S FUND (UNICEF) TO ESTABLISH A CENTER FOR THE HEALTH, WELFARE, AND RIGHTS OF CHILDREN AND YOUTH IN HAWAII, AND RESPECTFULLY REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE U.S. CONGRESS TO SUPPORT THE CENTER," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 421, returning S.B. No. 21, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 422, returning S.B. No. 591, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 591, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AND VISITATION," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 423, returning S.B. No. 776, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 776, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 424, returning S.B. No. 1134, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1134, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 425, returning S.B. No. 1262, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred until Wednesday, April 7, 1999.

Hse. Com. No. 426, returning S.B. No. 1379, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1999, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1379, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES," was deferred until Wednesday, April 7, 1999.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1369) recommending that S.C.R. No. 56, 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. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A COMPREHENSIVE APPROACH TO RESOLVE OUTSTANDING ISSUES THAT AFFECT NATIVE HAWAIIANS," was adopted.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1370) recommending that S.C.R. No. 112, as amended in S.D. 1, 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. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT AND USE OF WORKPLACE SAFETY PROTOCOLS ADDRESSING NEEDLESTICK INJURIES," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1371) recommending that S.C.R. No. 58 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, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1372) recommending that S.C.R. No. 186, 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. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COUNCIL OF PRIVATE SCHOOLS TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1373) recommending that S.R. No. 83, 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.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII COUNCIL OF PRIVATE SCHOOLS TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1374) recommending that S.C.R. No. 45 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. 45, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO RESTORE REDRESS FUNDS TO COMPENSATE INDIVIDUALS OF JAPANESE ANCESTRY WHO WERE UNJUSTLY INTERNED DURING WORLD WAR II," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1375) recommending that S.R. No. 25 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 25, entitled: "SENATE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO RESTORE REDRESS FUNDS TO COMPENSATE INDIVIDUALS OF JAPANESE ANCESTRY WHO WERE UNJUSTLY INTERNED DURING WORLD WAR II," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1376) recommending that S.C.R. No. 168, 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. 168, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PROPOSE LONG-TERM SOLUTIONS TO TRAFFIC AND PARKING PROBLEMS AT WAIMEA BAY AND TO ESTIMATE THE COSTS OF A FEASIBILITY STUDY FOR THE DESIGN AND CONSTRUCTION OF A SCENIC LOOKOUT," was adopted.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1377) recommending that S.C.R. No. 111, as amended in S.D. 1, 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. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO STUDY THE USE OF GENETIC INFORMATION AND GENETIC TEST RESULTS FOR INSURANCE COVERAGE PURPOSES," was adopted.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1378) recommending that S.R. No. 49, as amended in S.D. 1, 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. 49, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO STUDY THE USE OF GENETIC INFORMATION AND GENETIC TEST

RESULTS FOR INSURANCE COVERAGE PURPOSES," was adopted.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1379) recommending that the Senate advise and consent to the nomination of GENEVIEVE SALMONSON as Director of Environmental Quality Control, in accordance with Gov. Msg. No. 203.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1379 and Gov. Msg. No. 203 was deferred until Wednesday, April 7, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1380) recommending that H.B. No. 602, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1381) recommending that H.B. No. 746, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 746, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HULA," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1382) recommending that H.B. No. 1180, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1383) recommending that H.B. No. 102, H.D. 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 102, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGE PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 7, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1384) recommending that H.B. No. 1124, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1384 and H.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," was deferred until Wednesday, April 7, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1385) recommending that H.B. No. 1431 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1431, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 7, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1386) recommending that H.B. No. 83, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 83, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1387) recommending that H.B. No. 77, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 77, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY ENCROACHMENT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1388) recommending that H.B. No. 1492 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 7, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1389) recommending that H.B. No. 1496, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1390) recommending that H.B. No. 72, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 72, H.D. 2, 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 Thursday, April 8, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1391) recommending that H.B. No. 165, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 165, 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 Thursday, April 8, 1999.

ORDER OF THE DAY

MATTERS DEFERRED FROM MONDAY, APRIL 5, 1999

AGREE/DISAGREE

S.B. No. 186, 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. 186, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 592, 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. 592, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 594, 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. 594, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 630, 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. 630, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 631, 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. 631, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 829, 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. 829, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 919, 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. 919, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1118, 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. 1118, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1119, 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. 1119, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1502, 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. 1502, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 616, 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. 616, S.D. 1, and requested a conference on the subject matter thereof.

THIRD READING

H.B. No. 1485:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1485, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1234 (H.B. No. 622, H.D. 2):

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, Stand. Com. Rep. No. 1234 was adopted and H.B. No. 622, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1235 (H.B. No. 1277, H.D. 1, S.D. 1):

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, Stand. Com. Rep. No. 1235 was adopted and H.B. No. 1277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

H.B. No. 1034:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 1034, 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, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

H.B. No. 1444:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1444, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

H.B. No. 992, H.D. 1:

Senator Chumbley moved that H.B. No. 992, H.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.

"The purpose of the act in Section 1 says that the purpose is to remove the requirement of displaying specific mandatory information, such as the social security number. This is something that we've been discussing for a number of years, something that I've been personally involved in. However, in the bill in Section 2, it says, 'Information to be secured. The department of the attorney general shall require,' and then it goes on to list a number of items, and on page 3 it lists '(9) The social security number of the applicant.' How can we say that the purpose is to remove the social security number and then say that the Attorney General shall require the social security number of the applicant?

"Unless someone can explain that difference to me, Mr. President, I'll vote 'no' on the bill.

"Thank you."

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, I have some reservations on the bill primarily because I've taken down a check to the bank and they're State checks, so I gave them this ID badge that we all carry. It says, 'This is to certify that Whitney T. Anderson is a member of the Senate.' It's got the State seal and it's signed by the Lt. Governor. And they asked for my driver's license because it doesn't have anything else on it. And we pay for this. And I brought it up before.

"And I don't know why we're paying for an ID? An identification card that says that you're a Senator, when they don't really give a damn if you're a Senator. And yet you have a State check that they won't cash unless you show them something with a social security number and other identification that they believe is pertinent.

"So, I would have a lot of concerns on spending money on something that's not worth a damn. So that's why I have some reservations on some of our ID cards and things that we carry.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, H.B. No. 992, H.D. 1, 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, 20. Noes, 1 (Slom). Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

H.B. No. 1430, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1430, H.D. 1, 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 OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1241 (H.B. No. 970, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1241 be adopted and H.B. No. 970, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations as follows:

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

"Mr. President, I notice that on the bills we have today (whether we are going to vote for all of them or not) I've raised the question about special purpose revenue bonds before. But our hardworking, industrious Minority staff has totalled the amounts of these special purpose revenue bond bills. Just today, they totalled \$212,700,000, plus an additional bill that only has an appropriation of \$1 (H.B. No. 1594), plus a blank amount in H.B. No. 854. I'm very concerned, Mr. President, about the totals and the amounts and the fact that most of my colleagues I don't think spend much time looking at those totals when we do things piecemeal.

"So, I'll vote for the bill because of the purpose of the bill, but with reservations.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1241 was adopted and H.B. No. 970, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1242 (H.B. No. 971, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1242 be adopted and H.B. No. 971, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1242 was adopted and H.B. No. 971, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1243 (H.B. No. 972, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1243 be adopted and H.B. No. 972, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1243 was adopted and H.B. No. 972, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1244 (H.B. No. 973, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1244 be adopted and H.B. No. 973, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1244 was adopted and H.B. No. 973, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1245 (H.B. No. 1257, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1245 be adopted and H.B. No. 1257, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1245 was adopted and H.B. No. 1257, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1246 (H.B. No. 1286, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1246 be adopted and H.B. No. 1286, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1246 was adopted and H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1247 (H.B. No. 1594, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1247 be adopted and H.B. No. 1594, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1247 was adopted and H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1248 (H.B. No. 1616, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1248 be adopted and H.B. No. 1616, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose to speak on the measure and stated:

"Mr. President, I'd also like to mention that when you say 'not for profit' we know that we have some that make a profit, but the non-profit -- normally the administrative groups -- probably make more money than anyone else, and they make sure that their companies come out with a non-profit. So those are some of my concerns that I've had over the years because we keep forming non-profit organizations. And let me tell you, when you start looking at the administrators and the money that they're making, the non-profit makes more money than the for-profit.

"I just wanted to make that a little clear on why we have some reservations, also."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1248 was adopted and H.B. No. 1616, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1249 (H.B. No. 1617, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1249 be adopted and H.B. No. 1617, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1249 was adopted and H.B. No. 1617, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read

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

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1250 (H.B. No. 1621, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1250 be adopted and H.B. No. 1621, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1250 was adopted and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1251 (H.B. No. 98, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1251 be adopted and H.B. No. 98, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure as follows:

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

"I know that many people in our community are suffering and they're hurting right now, and they're hurting because of what our government has done to them in terms of taxes and regulations and the cost of living. But our pensioners and our retirees are among the best paid pensioners and retirees in the nation. And to continue to increase bonuses, particularly unfunded bonuses, I think hurts everyone in the community.

"And if we're saying that the pensioners have not had a bonus because it has not kept pace with the cost of living, it depends on what measure we take. If we're using a measure of inflation, we find out that we've had almost nil inflation in this State. If we got to the point where we use that as a measurement and we had deflation, then we would have to require the pensioners to actually give us money back.

"I think the real problem here is that people don't understand if we continue to add to our costs of pension and retirement, add the bills that are presently before this session to add even more people and more money for more pensions, more retirement, more health care benefits, then the remaining people who are not government public employee pensioners and retirees are going to continue to suffer in this State, or to leave this State. So I think it's a bad precedent. I think it's bad financial planning, and I think it harms all of us, so I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1251 was adopted and H.B. No. 98, H.D. 1, 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, 20. Noes, 1 (Slom). Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1252 (H.B. No. 1287, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1252 be adopted and H.B. No. 1287, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1252 was adopted and H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1253 (H.B. No. 221, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1253 was adopted and H.B. No. 221, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1254 (H.B. No. 801, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1254 be adopted and H.B. No. 801, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1254 was adopted and H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1255 (H.B. No. 854, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1255 was adopted and H.B. No. 854, 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, 19. Noes, 2 (M. Ige, Slom). Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1256 (H.B. No. 1085, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1256 was adopted and H.B. No. 1085, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1257 (H.B. No. 849, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1257 was adopted and H.B. No. 849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1258 (H.B. No. 1114, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1258 was adopted and H.B. No. 1114, 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, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

Stand. Com. Rep. No. 1259 (H.B. No. 1595, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1259 be adopted and H.B. No. 1595, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1259 was adopted and H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Tanaka, Taniguchi).

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 990, H.D. 1 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Ways and Means

ADJOURNMENT

At 12:44 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., Wednesday, April 7, 1999.

FORTY-FIFTH DAY

Wednesday, April 7, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Julia McKenna-Dubin, Ministry for Divine Harmony, after which the Roll was called showing all Senators present.

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

At this time, Senator Hanabusa, on behalf of Senator Chun Oakland, introduced and congratulated the following 1999 Commissioners of the Hawaii State Commission on the Status of Women: Leslie Wilkins, chair (Maui); Pamela Ferguson-Brey, interim executive director of the Victim Crime Compensation Commission; Val Kanuha, commissioner (Oahu); Mary Jo Sweeney, commissioner (Kauai); and Alicyn Hikida Tasaka, executive director.

At 11:53 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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 427 to 432) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 427, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1013 (S.D. 1); and
H.B. No. 1623, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 428, transmitting H.C.R. No. 67, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," was referred to the Committee on Labor and Environment, then to the Committee on Economic Development.

Hse. Com. No. 429, transmitting H.C.R. No. 131, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 131, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PASS LAWS TO PROHIBIT AMERICAN COMPANIES FROM MANUFACTURING GOODS USING CHILD LABOR OR FROM PURCHASING GOODS FROM FOREIGN MANUFACTURERS THAT USE CHILD LABOR," was referred to the Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 430, transmitting H.C.R. No. 199, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR THE HAWAIIAN SUPER PRIX TO FACILITATE THE SUCCESS OF THE EVENT," was referred to the Committee on Economic Development.

Hse. Com. No. 431, transmitting H.C.R. No. 208, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR THE MILLENNIUM PROJECT," was referred to the Committee on Education and Technology.

Hse. Com. No. 432, transmitting H.C.R. No. 251, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO," was referred to the Committee on Education and Technology, then to the Committee on Transportation and Intergovernmental Affairs.

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.

STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1392) recommending that H.B. No. 328, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1392 and H.B. No. 328, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred until Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1393) recommending that H.B. No. 562, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1393 and H.B. No. 562, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred until Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1394) recommending that H.B. No. 1401, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1394 and H.B. No. 1401, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," was deferred until Thursday, April 8, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1395) recommending that H.B. No. 664, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN COMPANY," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1396) recommending that H.B. No. 310, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1396 and H.B. No. 310, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1397) recommending that H.B. No. 531, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1397 and H.B. No. 531, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1398) recommending that H.B. No. 557, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1398 and H.B. No. 557, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1399) recommending that H.B. No. 677, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1399 and H.B. No. 677, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1400) recommending that H.B. No. 743, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1400 and H.B. No. 743, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1401) recommending that H.B. No. 842, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1401 and H.B. No. 842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1402) recommending that H.B. No. 898, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1402 and H.B. No. 898, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1403) recommending that H.B. No. 949, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1403 and H.B. No. 949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1404) recommending that H.B. No. 983 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1404 and H.B. No. 983, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1405) recommending that H.B. No. 1006, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1405 and H.B. No. 1006, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1406) recommending that H.B. No. 1008, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1406 and H.B. No. 1008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1407) recommending that H.B. No. 1012, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1407 and H.B. No. 1012, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1408) recommending that H.B. No. 1044, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1408 and H.B. No. 1044, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1409) recommending that H.B. No. 1095, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 1095, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1410) recommending that H.B. No. 1149, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1410 and H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1411) recommending that H.B. No. 1165, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1411 and H.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1412) recommending that H.B. No. 1177, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 1177, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1413) recommending that H.B. No. 1575, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 1575, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1414) recommending that H.B. No. 50 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1414 and H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1415) recommending that H.B. No. 154, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1415 and H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1416) recommending that H.B. No. 170, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1416 and H.B. No. 170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO LONG-TERM CARE TAX BENEFITS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1417) recommending that H.B. No. 172, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1417 and H.B. No. 172, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1418) recommending that H.B. No. 248, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1418 and H.B. No. 248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1419) recommending that H.B. No. 250, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1419 and H.B. No. 250, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1420) recommending that H.B. No. 260, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1420 and H.B. No. 260, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1421) recommending that H.B. No. 307, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1421 and H.B. No. 307, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1422) recommending that H.B. No. 314, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1422 and H.B. No. 314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1423) recommending that H.B. No. 326, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1423 and H.B. No. 326, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1424)

recommending that H.B. No. 374, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1424 and H.B. No. 374, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1425) recommending that H.B. No. 377, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1425 and H.B. No. 377, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1426) recommending that H.B. No. 424, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1426 and H.B. No. 424, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1427) recommending that H.B. No. 440, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1427 and H.B. No. 440, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1428) recommending that H.B. No. 547, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1428 and H.B. No. 547, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1429) recommending that H.B. No. 645, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1429 and H.B. No. 645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1430) recommending that H.B. No. 719, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1430 and H.B. No. 719, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1431) recommending that H.B. No. 978, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1431 and H.B. No. 978, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1432) recommending that H.B. No. 979, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1432 and H.B. No. 979, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1433) recommending that H.B. No. 988, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1433 and H.B. No. 988, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1434) recommending that H.B. No. 1020, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1434 and H.B. No. 1020, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1435) recommending that H.B. No. 1026, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1435 and H.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1436) recommending that H.B. No. 1042, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1436 and H.B. No. 1042, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1437) recommending that H.B. No. 1121 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1437 and H.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1438) recommending that H.B. No. 1138, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1438 and H.B. No. 1138, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1439) recommending that H.B. No. 1162, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1439 and H.B. No. 1162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1440) recommending that H.B. No. 1166, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1440 and H.B. No. 1166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1441) recommending that H.B. No. 1168, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1441 and H.B. No. 1168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1442) recommending that H.B. No. 1367, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1442 and H.B. No. 1367, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1443) recommending that H.B. No. 1197, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1197, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1444) recommending that H.B. No. 1413, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1444 and H.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1445) recommending that H.B. No. 1416, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1445 and H.B. No. 1416, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1446) recommending that H.B. No. 1628, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1446 and H.B. No. 1628, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1447) recommending that H.B. No. 1641, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1447 and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1448) recommending that H.B. No. 1675, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1448 and H.B. No. 1675, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1449) recommending that H.B. No. 1683, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1449 and H.B. No. 1683, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1450) recommending that H.B. No. 1693, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1450 and H.B. No. 1693, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Friday, April 9, 1999.

ORDER OF THE DAY

MATTERS DEFERRED FROM TUESDAY, APRIL 6, 1999

AGREE/DISAGREE

S.B. No. 21, S.D. 1 (H.D. 1):

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. 21, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 591, S.D. 1 (H.D. 1):

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. 591, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 776 (H.D. 1):

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. 776 and requested a conference on the subject matter thereof.

S.B. No. 1134, S.D. 1 (H.D. 1):

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. 1134, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1262 (H.D. 1):

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. 1262 and requested a conference on the subject matter thereof.

S.B. No. 1379, S.D. 2 (H.D. 1):

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. 1379, S.D. 2, and requested a conference on the subject matter thereof.

**MATTERS DEFERRED FROM
TUESDAY, APRIL 6, 1999**

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions that were received on Tuesday, April 6, 1999:

House Concurrent Resolution	Referred to:
No. 11	Committee on Health and Human Services, then to the Committee on Judiciary
No. 166	Committee on Economic Development
No. 249, H.D. 1	Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs

**MATTER DEFERRED FROM
TUESDAY, APRIL 6, 1999**

HOUSE CONCURRENT RESOLUTION

H.C.R. No. 133, H.D. 1:

By unanimous consent, H.C.R. No. 133, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR PROCLAIM AUGUST 15 TO AUGUST 21, 1999, AS OFFICIAL YO-YO WORLD COMPETITION WEEK IN THE STATE OF HAWAII," was placed on file.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1379 (Gov. Msg. No. 203):

Senator Nakata moved that Stand. Com. Rep. No. 1379 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of GENEVIEVE SALMONSON as Director of Environmental Quality Control, terms to expire June 30, 1999 and June 30, 2003, seconded by Senator M. Ige.

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

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

THIRD READING

H.B. No. 160, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1240 (H.B. No. 877, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1240 be adopted and H.B. No. 877, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1240 was adopted and H.B. No. 877, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 102, H.D. 2:

Senator Nakata moved that H.B. No. 102, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Sakamoto rose in opposition to the measure and stated:

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

"This measure's purpose, supposedly, is to eliminate the ambiguity in penalties assessed against employers who fail to pay wages. Now, nobody would be in favor of an employer who fails to pay wages. The proposed ambiguity that this bill clears up is that the current law says that the penalties assessed can be up to the amount of unpaid wages. This bill eliminates the 'up to'; eliminates the discretion on what the penalty is to be and proposes that the penalty amounts be equal to the unpaid wages.

"There are many reasons why wages are unpaid -- maybe time sheets are not turned in, maybe overtime isn't properly calculated, maybe there was a holiday and correct wages weren't paid. I'm not arguing the case of correct wages should be paid, but I am arguing the point that taking away the 'up to' takes away the discretion from the Department of Labor or whoever the adjudicator is to assess an appropriate penalty. And certainly, we don't want bills that harm employers.

"And the argument can be made that nobody testified against it. The testimonies supporting the measure were from the Consumer Lawyers of Hawaii and the National Employment Lawyers Association. And maybe the question is, Well, who speaks for business? I guess I do, and I hope many of you do, as well. When we purport that the economy is our major issue, then why should we want to press on business anymore than we have?

"So, for those reasons, Mr. President, I speak against the bill. Thank you."

At this time, Senators Bunda, Iwase and Inouye 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. 102, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGE PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Matsuura, Sakamoto, Slom). Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1384 (H.B. No. 1124, S.D. 1):

On motion by Senator Nakata, seconded by Senator M. Ige and carried, Stand. Com. Rep. No. 1384 was adopted and H.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1431:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1431, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1492:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senator Levin, for the Committee on Ways and Means, requested a waiver of the Required Hours of Notice of a Public Hearing for the following bills:

H.B. No. 140;
H.B. No. 162;
H.B. No. 318;
H.B. No. 375;
H.B. No. 635;
H.B. No. 765;
H.B. No. 1017;
H.B. No. 1183;
H.B. No. 1522;
H.B. No. 1649; and
H.B. No. 1726,

and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege.

"Mr. President, I was told today at a hearing that I do floor speeches, so I thought I'd do one. When I'm in a hearing and I question people and the answers don't really go the way I think the public wants, I'm not an attorney so I get a little upset and I tell them just what the hell I feel because that's what the people feel. So, if you accuse me of doing a floor speech, this is a floor speech.

"And let me tell you, I think it's a shame that we can come here to represent the people and then ask for waivers so that they don't come to hearings. Then we turn around and we blame staff because I got the Order of the Day today at 11:06. Now that's a floor speech and I think it's a shame that we go to these committee hearings; we have to vote in public because it sounds so great, but we can't pass anything if we don't have a quorum. So all the bills pile up the way that they normally do. And if we do have a quorum and they don't have the vote that they want, we can defer the bloody bill. And that's been happening over and over and over again. And the staff is being blamed for that.

"I think it's a shame that we have a practice, Mr. President, that isn't working, and I don't care how many goody goods think that voting in public is satisfying everybody when, in fact, they are making the laws that we have, the worst that we've ever had. We are giving away, Mr. President, and relinquishing the responsibilities to the Board of Education that we have with budgets by giving away the safety net that this Democratic Party says they're so proud of by saying we're going to let groups take over. If you wanted to do a reform, we said long ago, de-centralize the Board of Education. That would have been people voting for those people from their own districts.

"As far as the state hospital, when I was in the House I told them that we should be moving it to a place that we owned a lot more land, which was Waimano Home. And we had a group of people up there that was similar. We had the types of facilities, but what are we going to do? We're going to say, 'No, you're not going to be able to get the types of treatment that you need.' And then we can get rid of some people that we want to in government, Mr. President. Well, that's a helluva way to do it.

"Now, this is a floor speech. And I would hope that once in a while that you folks would listen, rather than say, 'There he goes again,' because that's how your constituents feel, my friends -- that we don't listen.

"And the reason that I'm angry with some of the police people and others that were there is that we have laws on the books that are not being enforced. I have asked for people who are dealing in drugs and given them license plate numbers and given them everything that we can, and it's not enforceable.

"I have people in business that don't like vending on the streets because they have to pay property taxes. They have to pay for their buildings that they're in and everything else, and some guy can get a 4 percent gross income license and he can vend on the streets. And I'm not a very bright person and I'm not an attorney, but when a judge says you have a 4 percent gross income license and I think you're just trying to earn a living, I tell them I can get a gross income license for breeding my animals because then all of the vet bills and the food, I can write off. But once those puppies or horses or whatever give birth, I can't go and sell them on the street. That's not what the 4 percent gross income is all about.

"There are other laws that we have on the books that are not being enforced, and that's what you folks should be looking at. That's what we should be looking at in committees, instead of making believe that things are going to get better and going to turn around. And that's why the frustrations are there, Mr. President, because I'm not an attorney and I'm not one that has the most uninvolved type of personality there is. When I get frustrated, I'm not interested in questions and answers. I'm trying to get a point across, and it's not a floor speech. It's as sincere as can be.

"So I do thank you for your time, Mr. President, and that's the concerns that I have. Thank you very much."

ADJOURNMENT

At 12:19 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., Thursday, April 8, 1999.

FORTY-SIXTH DAY

Thursday, April 8, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:47 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Mike Brownfield, Honolulu Central 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 Forty-Fifth Day.

At this time, Senator Taniguchi introduced student "shadow" Ross Unebasami.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 266, informing the Senate that on April 6, 1999, he signed the following bills into law:

Senate Bill No. 1194 as Act 4, entitled: "RELATING TO SCHOOL BUSES";

House Bill No. 792 as Act 5, entitled: "RELATING TO BAIL BONDS";

House Bill No. 982 as Act 6, entitled: "RELATING TO AQUACULTURE";

House Bill No. 1070 as Act 7, entitled: "RELATING TO THE INSURANCE CODE";

House Bill No. 1081 as Act 8, entitled: "RELATING TO CORPORATIONS";

House Bill No. 1179 as Act 9, entitled: "RELATING TO COMMERCIAL MARINE LICENSES"; and

House Bill No. 1207 as Act 10, entitled: "RELATING TO THE CIGARETTE TAX,"

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 433 to 436) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 433, returning S.B. No. 1478, which passed Third Reading in the House of Representatives on April 7, 1999, was placed on file.

Hse. Com. No. 434, returning S.B. No. 970, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1999, 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. 970, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 435, returning S.B. No. 1132, which passed Third Reading in the House of Representatives on April 7, 1999, 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. 1132 and requested a conference on the subject matter thereof.

Hse. Com. No. 436, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 98, H.D. 1 (S.D. 1);
H.B. No. 221, H.D. 2 (S.D. 1);
H.B. No. 854 (S.D. 1);
H.B. No. 970, H.D. 1 (S.D. 1);
H.B. No. 971, H.D. 1 (S.D. 1);
H.B. No. 972, H.D. 1 (S.D. 1);
H.B. No. 973, H.D. 1 (S.D. 1);
H.B. No. 1085, H.D. 1 (S.D. 1);
H.B. No. 1257, H.D. 1 (S.D. 1);
H.B. No. 1277, H.D. 1 (S.D. 1);
H.B. No. 1594, H.D. 1 (S.D. 1);
H.B. No. 1616, H.D. 1 (S.D. 1);
H.B. No. 1617, H.D. 1 (S.D. 1); and
H.B. No. 1621, H.D. 1 (S.D. 1),

was placed on file.

JUDICIARY COMMUNICATION

Jud. Com. No. 1, submitting for consideration and consent, the nomination of CALVIN K. MURASHIGE to the office of Judge, District Court of the Fifth Circuit, in accordance with the provisions of Section 604-2, Hawaii Revised Statutes, for a term of six years, was read by the Clerk and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1451) recommending that S.C.R. No. 85 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, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXTENSION OF THE COMMISSION TO ESTABLISH THE HAWAII SPORTS HALL OF FAME," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1452) recommending that S.C.R. No. 163 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. 163, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE ALA WAI CANAL AS THE INTERNATIONAL HOME OF HAWAIIAN OUTRIGGER CANOE PADDLING AND TRAINING," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1453) recommending that S.R. No. 71 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 71, entitled: "SENATE RESOLUTION DESIGNATING THE ALA WAI CANAL AS THE INTERNATIONAL HOME OF HAWAIIAN OUTRIGGER CANOE PADDLING AND TRAINING," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1454) recommending that the Senate advise and consent to the nomination of DAVID A. KAKU, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 192.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1454 and Gov. Msg. No. 192 was deferred until Friday, April 9, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1455) recommending that the Senate advise and consent to the nominations of RUDY MIRANDA and ALFRED WONG to the Commission on Transportation, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1455 and Gov. Msg. No. 195 was deferred until Friday, April 9, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1456) recommending that the Senate advise and consent to the nominations of ALBERT "BENNY" RODERO and GABRIEL K. KILAKALUA, JR., to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 214.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1456 and Gov. Msg. No. 214 was deferred until Friday, April 9, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1457) recommending that the Senate advise and consent to the nominations of TOY G. GRICE and EDWARD M. KAWAMURA to the Advisory Board on Veterans' Services, in accordance with Gov. Msg. No. 224.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1457 and Gov. Msg. No. 224 was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1458) recommending that H.B. No. 1172, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1458 and H.B. No. 1172, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1459) recommending that H.B. No. 274, H.D. 3, 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. 274, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1460) recommending that H.B. No. 510, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1460 and H.B. No. 510, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1461) recommending that H.B. No. 512, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1461 and H.B. No. 512, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1462) recommending that H.B. No. 519, 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. 519, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1463) recommending that H.B. No. 522, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1463 and H.B. No. 522, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1464) recommending that H.B. No. 980, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1464 and H.B. No. 980, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1465) recommending that H.B. No. 1460, H.D. 2, 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. 1460, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING SYSTEM," was deferred until Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1466) recommending that H.B. No. 47, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 47, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1467) recommending that H.B. No. 353, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 353, H.D. 2, 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, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1468) recommending that H.B. No. 791, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 791, H.D. 2, 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 Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1469) recommending that H.B. No. 1063, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1063, H.D. 1, 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, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1470) recommending that H.B. No. 1072, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1072, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1471) recommending that H.B. No. 1411, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1411, 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 Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1472) recommending that H.B. No. 1083, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1472 and H.B. No. 1083, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Friday, April 9, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1473) recommending that H.B. No. 1350, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1473 and H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," was deferred until Friday, April 9, 1999.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:51 o'clock p.m.

ORDER OF THE DAY

THIRD READING

H.B. No. 602, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, H.B. No. 602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 746, H.D. 1, S.D. 1:

Senator D. Ige moved that H.B. No. 746, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom rose in support of the measure and stated:

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

"Yes, it is a pleasure to speak for a bill and also for such an important bill. This is probably what Mr. President and the Governor meant about turning our economy around, because now that we will have hula as our official State dance, I know that we will be able to turn our economy around, although I am a little concerned about some of the various interpretations of the dance. And I am concerned, Mr. President, that the 'humuhumunukunuaipuaa' still has to run for re-election as the official State fish. But I'm very pleased to support this bill and I urge, I urge, all of my colleagues to please support this bill. Let us pass a good bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, H.B. No. 746, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HULA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1180, S.D. 1:

On motion by Senator Inouye, seconded by Senator Buen and carried, H.B. No. 1180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 83, H.D. 1, S.D. 1:

Senator Chumbley moved that H.B. No. 83, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak in support of the bill with reservations and stated:

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

"As a former juror, myself, and one who expects and hopes to be on a jury again, I certainly believe in the idea here that everybody should serve this very basic and fundamental civic duty and responsibility. But I am a little concerned with the bill that does call for elected officials to serve on juries, particularly during legislative sessions. I'm particularly concerned about that and think that maybe the bill should have been amended or could be amended to specify that elected officials would not serve during the period of an active legislative session, because otherwise, Mr. President, it could be a terrible thing -- you could have 50 percent of your Minority serving on a jury and they would not be present to discuss and vote on the many, many bad bills that are discussed here.

"So, with that reservation, I'm pleased to support the bill, Mr. President. Thank you."

Senator Anderson also rose to speak on the measure with reservations and said:

"Mr. President, I, too, have some reservations, partly for the same reasons. But I also believe that the appointed people that are helping to run our State should also, from the period, say, of January to April or May, whenever we are in session, if they are called for to give testimony . . . I do know that in the past because we did not have one of the department heads that went to testify in one of our committees, she was later not reappointed. And I think that was a shame because somebody said that they sent in the second string, rather than the first. So, if those people are not eligible because they are on jury duty and for some reason a judge does not feel that it's fair, they could be in trouble.

"So, I would hope that all people who are elected and those that are appointed would have from certain times when we're in session that they would be excluded from being on jury duty. And those are some of my concerns along with my colleague's.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, H.B. No. 83, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 77, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 77, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY ENCROACHMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1496, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 72, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 72, H.D. 2, 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 (Tanaka).

H.B. No. 165, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 165, 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 (Tanaka).

Stand. Com. Rep. No. 1394 (H.B. No. 1401, H.D. 2, S.D. 1):

Senator Kanno moved that Stand. Com. Rep. No. 1394 be adopted and H.B. No. 1401, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Sakamoto rose to speak on the measure as follows:

"Mr. President, I want to express some concerns with one provision -- the provision that 'If a towing company does not comply with the insurance and signage requirements, any person, including the registered owner, lienholder, or insurer of the vehicle may sue the company for any resulting damages and, if that person prevails, the sum of not less than \$1,000 or threefold damages plus reasonable attorneys fees and costs shall be awarded.' I think for an improper sign, that's a little heavy. So, hopefully in conference committee, issues like this can be worked out.

"Thank you, Mr. President."

Senators Slom and Chun requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose and stated:

"The chair would stand up and address this bill, but we recommend that since Judiciary was unfortunately left out in the traffic of this bill, we recommend that Judiciary be a member on this conference committee.

"Thank you."

The Chair responded:

"It will be taken under advisement."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1394 was adopted and H.B. No. 1401, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1396 (H.B. No. 310, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1396 was adopted and H.B. No. 310, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1400 (H.B. No. 743, H.D. 3, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1400 be adopted and H.B. No. 743, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase rose in opposition to the measure and stated:

"Mr. President, I'm rising to speak in opposition to the bill.

"Mr. President, my opposition is not based upon the merits of whether or not advanced practice registered nurses should or should not be included in direct payments from insurance companies, but what this bill does is put them into that category for both auto insurance costs and workers' comp costs, and I think the implications are great and I would like to have just a few seconds to explain it.

"Mr. President, we have been, over the last two, three, four years, attempting to drive down the cost of auto insurance and

workers' comp insurance. We passed reforms to deal with auto insurance and workers' comp insurance. With respect to auto insurance, as well as workers' comp, I think what we looked at were two areas that were driving the costs up. One was legal costs, the law suits, and we sought to tighten that up both with auto and workers' comp. Second was the medical cost that impacted upon premiums, and we sought to tighten that up by trying to provide certain gatekeepers to monitor who or what kind of treatments would be provided and under what conditions. There has been some success, at least in the workers' comp area. In auto reform, the jury is still out.

"Mr. President, what we're doing now is adding back into the restricted categories of direct payees, another profession. And therein lies the problem. I think that before we do these things, we ought to look at criteria to determine whether or not a particular profession should be added back into both the workers' compensation law and the auto insurance law to determine whether or not they should be direct payees. If we do not do so and we take it on an ad hoc basis -- how many people come down and testify, how sympathetic is their plight -- then we have a problem, because it's based purely on subjectivity, rather than objectivity.

"Out there now, Mr. President, and who could seek to come back in to direct payment under the workers' comp and auto insurance law, would be professions such as physical therapists, massage therapists. I understand that physician assistants are now seeking licensure and they could seek to come back in as a direct payee, and of course there's the acupuncturists.

"Mr. President, I believe that we ought to be very circumspect when we add categories of professions back as direct payees, because if we do not do so, all the efforts that we have made to drive down workers' comp costs and auto insurance costs which impact upon the pocketbooks of the people of this State and the employers of this State are not going to succeed.

"So for those reasons, Mr. President, I'll be casting a 'no' vote. Thank you."

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

"I rise in opposition, Mr. President, similarly to the Senator from Mililani, similar concerns.

"In addition, my understanding is that rules for that profession and their practice still have not been implemented as well. So we're certainly ahead of the curve on some issues and let's be wise in what we do. So I'm in opposition, and certainly, there are places that health care providers such as those are needed, but they don't have to be on the workers' comp schedule, on the auto schedule, where we worked so hard to save consumers' dollars.

"Thank you, Mr. President."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator M. Ige then rose to speak against the measure and stated:

"Mr. President, I, too, would like to rise in opposition.

"Mr. President, I just want to echo the sentiments of the Senator to my left that I, too, am concerned about this potential cost driver to automobile insurance, I guess, to bring it up to where it may be unaffordable again. It seems to me like a step backwards.

"So, I do want to express my opposition. Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1400 was adopted and H.B. No. 743, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (M. Ige, Iwase, Kawamoto, Matsuura, Sakamoto). Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1401 (H.B. No. 842, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1401 was adopted and H.B. No. 842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1404 (H.B. No. 983):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1404 was adopted and H.B. No. 983, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1408 (H.B. No. 1044, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1408 be adopted and H.B. No. 1044, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure as follows:

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

"I support this bill as I did the Senate bill, but again with the same caveat, and that is -- while I think it certainly is altogether right and fitting that all employees in the state government be afforded the opportunity to purchase medical insurance and other insurance as well, I want to make sure, though, that it is the intent of the Legislature that this is a non-charge to the employer, to the state and to the taxpayers, and that there will not be any attempt in the future to make retroactively these costs a charge on the taxpayers or the state.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1408 was adopted and H.B. No. 1044, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1410 (H.B. No. 1149, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1410 be adopted and H.B. No. 1149, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Hanabusa requested a ruling from the Chair as follows:

"Mr. President, I'd like to request a conflict ruling from the Chair.

"As stated previously, I represent a plaintiff in an action against the Hawaii Health Systems Corporation."

The Chair ruled that Senator Hanabusa was not in conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1410 was adopted and H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING 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, none. Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1411 (H.B. No. 1165, H.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1411 be adopted and H.B. No. 1165, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1411 was adopted and H.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1414 (H.B. No. 50):

Senator Fukunaga moved that Stand. Com. Rep. No. 1414 be adopted and H.B. No. 50, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1414 was adopted and H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1415 (H.B. No. 154, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1415 was adopted and H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1416 (H.B. No. 170, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1416 was adopted and H.B. No. 170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS,"

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

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

Stand. Com. Rep. No. 1418 (H.B. No. 248, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1418 be adopted and H.B. No. 248, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"We passed landmark legislation last year giving the University of Hawaii autonomy and yet the autonomy is not complete in many areas, and we see that it's not complete in the area of legal representation. So I think from that standpoint it's inconsistent.

"But the problem I have with this bill is that it doesn't provide any standard for the University of Hawaii to use to determine when it should use its own legal counsel, and when it should be using the Attorney General's office. It doesn't address this issue at all. Providing the University access to two separate state attorney offices without any guidelines creates an ambiguity and could result in a waste of money because each legal office would be prone to either over- or under-staff. So I think that the bill should establish that the University must use its own counsel except for certain enumerated situations.

"Thank you, Mr. President."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator M. Ige rose in opposition to the measure as follows:

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

"Could I have the words of the previous speaker, Senator Slom, be entered into the Journal as though they were my own. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1418 was adopted and H.B. No. 248, 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, 23. Noes, 1 (M. Ige). Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1419 (H.B. No. 250, H.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1419 be adopted and H.B. No. 250, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator M. Ige rose to speak on the measure with reservations and said:

"Mr. President, I rise to speak with reservations on this measure.

"Mr. President, as Government Operations co-chair a couple of years back, we had such difficulty working with the Attorney General's office and I just feel that we absolutely need to have some control over these contracts and that we should have those agreements looked at by someone within our own state government. And I just have some reservations about bypassing the Attorney General's office.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1419 was adopted and H.B. No. 250, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR 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 (Tanaka).

Stand. Com. Rep. No. 1420 (H.B. No. 260, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1420 be adopted and H.B. No. 260, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations as follows:

"Reservations please, Mr. President.

"While we certainly are all concerned about childhood development and child care and so forth, this bill makes a number of appropriations in unspecified amounts for a broad list of items and I think that we need to assure more accountability and specificity.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1420 was adopted and H.B. No. 260, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1421 (H.B. No. 307, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1421 was adopted and H.B. No. 307, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1423 (H.B. No. 326, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1423 was adopted and H.B. No. 326, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1430 (H.B. No. 719, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1430 be adopted and H.B. No. 719, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

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

"We are continuing to load additional fees and taxes on our motor vehicle owners, and to go from \$1 to \$3 in this bill does not guarantee that we're going to use it for that specific purpose. And a fee is a tax, is a tax, is a tax.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1430 was adopted and H.B. No. 719, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1432 (H.B. No. 979, H.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1432 was adopted and H.B. No. 979, H.D. 2, 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 (Tanaka).

Stand. Com. Rep. No. 1435 (H.B. No. 1026, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1435 was adopted and H.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1436 (H.B. No. 1042, H.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1436 be adopted and H.B. No. 1042, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1436 was adopted and H.B. No. 1042, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1437 (H.B. No. 1121):

Senator Fukunaga moved that Stand. Com. Rep. No. 1437 be adopted and H.B. No. 1121, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1437 was adopted and H.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1439 (H.B. No. 1162, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1439 be adopted and H.B. No. 1162, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1439 was adopted and H.B. No. 1162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1441 (H.B. No. 1168, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1441 was adopted and H.B. No. 1168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1442 (H.B. No. 1367, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1442 be adopted and H.B. No. 1367, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, again I rise in support with reservations.

"Child safety is a most important issue but I want to see specified amounts for the particular programs, so reservations, please.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1442 was adopted and H.B. No. 1367, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1444 (H.B. No. 1413, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1444 be adopted and H.B. No. 1413, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator M. Ige rose to speak on the measure with reservations and said:

"Mr. President, I rise to express my reservations on this measure.

"Mr. President, again as one of your Government Operations co-chairs a couple of years back, the Auditor was very critical of this program. I support QUEST. I think the intent is valid and must be supported, but when the Auditor came back she was critical in expressing the fact that some of the costs were out of control, definitions weren't in place. And to see a measure without any cost implications, I have grave reservations about that. And I hope that during conference we'll be able to iron out those figures and be able to come up with what kind of financial impact this measure will have on the people of Hawaii.

"Thank you."

Senator Kawamoto also rose with reservations on the measure as follows:

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

"Mr. President, six years ago seems like a long time. But six years ago when QUEST came about, the idea of QUEST was to save money and to cover more people. It appears, since I've been on the Ways and Means for five years now, every year there's been an emergency request for helping QUEST, and every year we've paid it. Somehow we have to, again, curtail the cost of our health care. We need to look and scrutinize also because of the fact that the Auditor came aboard and indicated there is some problems in the QUEST management. We need to look at that. Therefore, I support the bill but with reservations.

"Thank you."

Senators Anderson, Slom, Iwase 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, Stand. Com. Rep. No. 1444 was adopted and H.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1448 (H.B. No. 1675, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1448 was adopted and H.B. No. 1675, 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, 24. Noes, none. Excused, 1 (Tanaka).

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 1028, H.D. 1 Jointly to the Committee on Economic Development and the Committee on Ways and Means

Senator Inouye, for the Committee on Economic Development, requested a waiver pursuant to Senate Rule 20 for H.B. No. 1028, and the Chair granted the waiver.

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for H.B. Nos. 632 and 1071, and the Chair granted the waiver.

ADJOURNMENT

At 1:20 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:00 o'clock p.m., Friday, April 9, 1999.

FORTY-SEVENTH DAY

Friday, April 9, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 6:11 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Regina Mary Jenkins, Sister of the Sacred Hearts, after which the Roll was called showing all Senators present with the exception of Senators Iwase, Kawamoto, Matsuura and Tanaka who were excused.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 437 to 457) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 437, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 160 (S.D. 1);
H.B. No. 877, H.D. 1 (S.D. 1); and
H.B. No. 1124 (S.D. 1),

was placed on file.

Hse. Com. No. 438, transmitting H.C.R. No. 22, H.D. 2, which was adopted by the House of Representatives on April 8, 1999, was placed on file.

By unanimous consent, H.C.R. No. 22, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO SUBMIT A STATUS REPORT ON DOCKET NO. 96-0493, INSTITUTING A PROCEEDING ON ELECTRIC COMPETITION, INCLUDING AN INVESTIGATION OF THE ELECTRIC UTILITY INFRASTRUCTURE IN THE STATE," was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 439, returning S.B. No. 59, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 59, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 440, returning S.B. No. 550, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 550, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 441, returning S.B. No. 590, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 590, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 442, returning S.B. No. 889, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 889, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 443, returning S.B. No. 901, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 901, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 444, returning S.B. No. 921, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 921 and requested a conference on the subject matter thereof.

Hse. Com. No. 445, returning S.B. No. 1021, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1021 and requested a conference on the subject matter thereof.

Hse. Com. No. 446, returning S.B. No. 1048, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1048, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 447, returning S.B. No. 1049, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1049, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 448, returning S.B. No. 1058, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1058, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 449, returning S.B. No. 1142, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1142, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 450, returning S.B. No. 1143, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1143 and requested a conference on the subject matter thereof.

Hse. Com. No. 451, returning S.B. No. 1156, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1156, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 452, returning S.B. No. 1274, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1274 and requested a conference on the subject matter thereof.

Hse. Com. No. 453, returning S.B. No. 1638, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, 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. 1638, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 454, returning S.B. No. 1280, which passed Third Reading in the House of Representatives on April 8, 1999, was placed on file.

Hse. Com. No. 455, returning S.B. No. 1080, which passed Third Reading in the House of Representatives on April 8, 1999, was placed on file.

Hse. Com. No. 456, returning S.B. No. 1051, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1999, was placed on file.

Hse. Com. No. 457, returning S.B. No. 1460, which passed Third Reading in the House of Representatives on April 8, 1999, was placed on file.

There being no objections, the Senate took the following action out of order from the sequence printed on the Order of the Day:

HOUSE COMMUNICATION

Hse. Com. No. 458, transmitting H.C.R. No. 262, which was adopted by the House of Representatives on April 9, 1999, was read by the Clerk and was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 262, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RETURN TO THE HOUSE OF REPRESENTATIVES CERTAIN BILLS," was adopted.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1474) recommending that H.B. No. 20, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1474 and H.B. No. 20, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1475) recommending that H.B. No. 174, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1475 and H.B. No. 174, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1476) recommending that H.B. No. 176, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1476 and H.B. No. 176, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1477) recommending that H.B. No. 333, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1477 and H.B. No. 333, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1478) recommending that H.B. No. 499, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1478 and H.B. No. 499, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1479) recommending that H.B. No. 700, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1479 and H.B. No. 700, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1480) recommending that H.B. No. 718, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1480 and H.B. No. 718, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1481) recommending that H.B. No. 806, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1481 and H.B. No. 806, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO LAND EXCHANGE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1482) recommending that H.B. No. 1018, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1482 and H.B. No. 1018, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1483) recommending that H.B. No. 1035, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1483 and H.B. No. 1035, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1484) recommending that H.B. No. 1, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1484 and H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1485) recommending that H.B. No. 4, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1485 and H.B. No. 4, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1486) recommending that H.B. No. 715, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1486 and H.B. No. 715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1487) recommending that H.B. No. 1181, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1487 and H.B. No. 1181, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1488) recommending that H.B. No. 1186, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1488 and H.B. No. 1186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," was deferred until Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 1489) recommending that H.B. No. 252, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1489 and H.B. No. 252, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," was deferred until Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1490) recommending that H.B. No. 325, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 325, H.D. 2, 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, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1491) recommending that H.B. No. 658, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 658, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1492) recommending that H.B. No. 177, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 177, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1493) recommending that H.B. No. 300, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 300, H.D. 1, 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, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1494) recommending that H.B. No. 997, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 997, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY LAUNDERING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1495) recommending that H.B. No.

1338, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1338, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1496) recommending that H.B. No. 999, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 999, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1497) recommending that H.B. No. 661, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1497 and H.B. No. 661, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1498) recommending that H.B. No. 1048, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1498 and H.B. No. 1048, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1499) recommending that H.B. No. 1064, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1499 and H.B. No. 1064, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1500) recommending that H.B. No. 1079, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1500 and H.B. No. 1079, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1501) recommending that H.B. No. 1624, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1501 and H.B. No. 1624, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1502)

recommending that H.B. No. 133, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1502 and H.B. No. 133, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE SMALL BUSINESS DEFENDER POSITION AND OTHER SUPPORT PERSONNEL ESTABLISHED UNDER ACT 168, SESSION LAWS OF HAWAII 1998," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1503) recommending that H.B. No. 797, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1503 and H.B. No. 797, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1504) recommending that H.B. No. 945, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1504 and H.B. No. 945, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1505) recommending that H.B. No. 1280, H.D. 2, 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. 1280, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1506) recommending that H.B. No. 389, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1506 and H.B. No. 389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1507) recommending that H.B. No. 532, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1507 and H.B. No. 532, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1508) recommending that H.B. No. 634, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1508 and H.B. No. 634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1509) recommending that H.B. No. 855, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1509 and H.B. No. 855, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1510) recommending that H.B. No. 1088, H.D. 2, 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. 1088, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1511) recommending that H.B. No. 1170, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1511 and H.B. No. 1170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1512) recommending that H.B. No. 1198, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1512 and H.B. No. 1198, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1513) recommending that H.B. No. 1637, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1513 and H.B. No. 1637, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1514) recommending that H.B. No. 1660, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1514 and H.B. No. 1660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1515) recommending that H.B. No. 895, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1515 and H.B. No. 895, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1516) recommending that H.B. No. 1120 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1516 and H.B. No. 1120, entitled: "A BILL FOR AN ACT

RELATING TO PERSONAL CARE SERVICES PAYMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1517) recommending that H.B. No. 1125, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1517 and H.B. No. 1125, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1518) recommending that H.B. No. 1146, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1518 and H.B. No. 1146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1519) recommending that H.B. No. 1620, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1519 and H.B. No. 1620, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1520) recommending that H.B. No. 1663, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1520 and H.B. No. 1663, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1521) recommending that H.B. No. 157, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1521 and H.B. No. 157, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1522) recommending that H.B. No. 1450, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1522 and H.B. No. 1450, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1523) recommending that H.B. No. 1454, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1523 and H.B. No. 1454, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1524) recommending that H.B. No. 1471, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1524 and H.B. No. 1471, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1525) recommending that H.B. No. 1145, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1525 and H.B. No. 1145, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1526) recommending that H.B. No. 1296, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1526 and H.B. No. 1296, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOHE BAY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1527) recommending that H.B. No. 1649, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1649, H.D. 2, 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 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1528) recommending that H.B. No. 71, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 71, H.D. 2, 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 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1529) recommending that H.B. No. 1497, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1530) recommending that H.B. No. 749, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1530 and H.B. No. 749, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1531) recommending that H.B. No. 1409, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1531 and H.B. No. 1409, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," was deferred until Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1532) recommending that H.B. No. 830, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1532 and H.B. No. 830, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1533) recommending that H.B. No. 104, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1533 and H.B. No. 104, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1534) recommending that H.B. No. 139, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1534 and H.B. No. 139, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1535) recommending that H.B. No. 1038, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1535 and H.B. No. 1038, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 13, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1454 (Gov. Msg. No. 192):

Senator Kawamoto moved that Stand. Com. Rep. No. 1454 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of DAVID A. KAKU, M.D., to the Medical Advisory Board, term to expire June 30, 2002, seconded by Senator Bunda.

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

Ayes, 21. Noes, none. Excused, 4 (Iwase, Kawamoto, Matsuura, Tanaka).

Stand. Com. Rep. No. 1455 (Gov. Msg. No. 195):

Senator Kawamoto moved that Stand. Com. Rep. No. 1455 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of RUDY MIRANDA and ALFRED WONG to the Commission on Transportation, terms to expire June 30, 2003, seconded by Senator Bunda.

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

Ayes, 21. Noes, none. Excused, 4 (Iwase, Kawamoto, Matsuura, Tanaka).

Stand. Com. Rep. No. 1456 (Gov. Msg. No. 214):

Senator Kawamoto moved that Stand. Com. Rep. No. 1456 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

ALBERT "BENNY" RODERO, term to expire June 30, 2002; and

GABRIEL K. KILAKALUA, JR., term to expire June 30, 2003,

seconded by Senator Bunda.

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

Ayes, 21. Noes, none. Excused, 4 (Iwase, Kawamoto, Matsuura, Tanaka).

Stand. Com. Rep. No. 1457 (Gov. Msg. No. 224):

Senator Kawamoto moved that Stand. Com. Rep. No. 1457 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of TOY G. GRICE and EDWARD M. KAWAMURA to the Advisory Board on Veterans' Services, terms to expire June 30, 2003, seconded by Senator Bunda.

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

Ayes, 21. Noes, none. Excused, 4 (Iwase, Kawamoto, Matsuura, Tanaka).

THIRD READING

Stand. Com. Rep. 1392 (H.B. No. 328, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1392 and H.B. No. 328, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1393 (H.B. No. 562, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1393 and H.B. No. 562, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred until Tuesday, April 13, 1999.

H.B. No. 664, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN COMPANY," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1397 (H.B. No. 531, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1397 and H.B. No. 531, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1398 (H.B. No. 557, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1398 and H.B. No. 557, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1399 (H.B. No. 677, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1399 and H.B. No. 677, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1402 (H.B. No. 898, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1402 and H.B. No. 898, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1403 (H.B. No. 949, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1403 and H.B. No. 949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1405 (H.B. No. 1006, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1405 and H.B. No. 1006, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1406 (H.B. No. 1008, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1406 and H.B. No. 1008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1407 (H.B. No. 1012, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1407 and H.B. No. 1012, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1409 (H.B. No. 1095, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 1095, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1412 (H.B. No. 1177, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 1177, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1413 (H.B. No. 1575, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 1575, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1417 (H.B. No. 172, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1417 and H.B. No. 172, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1422 (H.B. No. 314, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1422 and H.B. No. 314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1424 (H.B. No. 374, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1424 and H.B. No. 374, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1425 (H.B. No. 377, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1425 and H.B. No. 377, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1426 (H.B. No. 424, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1426 and H.B. No. 424, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1427 (H.B. No. 440, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1427 and H.B. No. 440, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1428 (H.B. No. 547, H.D. 3, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1428 and H.B. No. 547, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1429 (H.B. No. 645, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1429 and H.B. No. 645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1431 (H.B. No. 978, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1431 and H.B. No. 978, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1433 (H.B. No. 988, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1433 and H.B. No. 988, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1434 (H.B. No. 1020, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1434 and H.B. No. 1020, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1438 (H.B. No. 1138, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1438 and H.B. No. 1138, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1440 (H.B. No. 1166, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1440 and H.B. No. 1166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," was deferred until Tuesday, April 13, 1999.

H.B. No. 1197, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1197, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1445 (H.B. No. 1416, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1445 and H.B. No. 1416, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1446 (H.B. No. 1628, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1446 and H.B. No. 1628, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1447 (H.B. No. 1641, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1447 and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1449 (H.B. No. 1683, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1449 and H.B. No. 1683, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1450 (H.B. No. 1693, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1450 and H.B. No. 1693, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1458 (H.B. No. 1172, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1458 and H.B. No. 1172, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," was deferred until Tuesday, April 13, 1999.

H.B. No. 791, H.D. 2:

By unanimous consent, action on H.B. No. 791, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," was deferred until Tuesday, April 13, 1999.

H.B. No. 1072, H.D. 1:

By unanimous consent, action on H.B. No. 1072, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1472 (H.B. No. 1083, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1472 and H.B. No. 1083, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Tuesday, April 13, 1999.

Stand. Com. Rep. 1473 (H.B. No. 1350, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1473 and H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," was deferred until Tuesday, April 13, 1999.

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
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No. 187	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment
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No. 211	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development and the Committee on Education and Technology
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**RE-REFERRAL OF
SENATE RESOLUTION**

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
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No. 84	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment
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Senator Chumbly, for the Committee on Judiciary, requested a waiver pursuant to Senate Rule 20 for H.B. Nos. 955 and 996, and the Chair granted the waiver.

At 6:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:21 o'clock p.m.

STANDING COMMITTEE REPORTS

On motion by Senator Chun, 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 6:22 o'clock p.m., the Senate took the following actions on the following House bills and standing committee reports:

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1536) recommending that H.B. No. 10 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 10, 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 13, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1537) recommending that H.B. No. 11, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 11, H.D. 1, 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 13, 1999.

Senator Hanabusa, jointly with Senators Fukunaga and Levin, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1538) recommending that H.B. No. 990, 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 Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 990, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1539) recommending that H.B. No. 411, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 411, H.D. 1, 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 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1540) recommending that H.B. No. 657, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 657, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TIME SHARING PLANS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senator D. Ige, jointly with Senators Fukunaga and Levin, and Senators Chumbley and Matsunaga, for the Committee on Education and Technology, the Committee on Ways and Means and the Committee on Judiciary, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1541) recommending that H.B. No. 150, 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 Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 150, H.D. 2, 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, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1542) recommending that H.B. No. 266, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1542 and H.B. No. 266, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1543) recommending that H.B. No. 936, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1543 and H.B. No. 936, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1544) recommending that H.B. No. 1267, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1544 and H.B. No. 1267, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," was deferred until Tuesday, April 13, 1999.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1545) recommending that H.B. No. 122, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 122, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1546) recommending that H.B. No. 460, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 460, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1547) recommending that H.B. No. 1361, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1547 and H.B. No. 1361, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1548) recommending that H.B. No. 37, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1548 and H.B. No. 37, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1549) recommending that H.B. No. 162, H.D. 1, 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. 162, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1550) recommending that H.B. No. 756, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1550 and H.B. No. 756, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1551) recommending that H.B. No. 1041, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1551 and H.B. No. 1041, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1552) recommending that H.B. No. 1071, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1552 and H.B. No. 1071, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1553) recommending that H.B. No. 1522, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1553 and H.B. No. 1522, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1554) recommending that H.B. No. 318, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1554 and H.B. No. 318, S.D. 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR ADDITIONAL SCHOOL CLERICAL POSITIONS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1555) recommending that H.B. No. 632, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1555 and H.B. No. 632, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1556) recommending that H.B. No. 635, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1556 and H.B. No. 635, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1557) recommending that H.B. No. 235, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1557 and H.B. No. 235, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1558) recommending that H.B. No. 827, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1558 and H.B. No. 827, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1559) recommending that H.B. No. 1703 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1559 and H.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1560) recommending that H.B. No. 142, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1560 and H.B. No. 142, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1561) recommending that H.B. No. 765, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1561 and H.B. No. 765, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1562)

recommending that H.B. No. 1726, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1562 and H.B. No. 1726, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY HEALTH SERVICES," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1563) recommending that H.B. No. 232, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 232, H.D. 2, 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 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1564) recommending that H.B. No. 375, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 375, 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 13, 1999.

Senator Inouye, jointly with Senators Fukunaga and Levin, for the Committee on Economic Development and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1565) recommending that H.B. No. 1028, 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 Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1028, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1566) recommending that H.B. No. 138, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1566 and H.B. No. 138, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1567) recommending that H.B. No. 1178, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1567 and H.B. No. 1178, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1568) recommending that H.B. No. 273, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1568 and H.B. No. 273, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1569) recommending that H.B. No. 1115, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1569 and H.B. No. 1115, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1570) recommending that H.B. No. 1117, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1570 and H.B. No. 1117, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1571) recommending that H.B. No. 1119, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1571 and H.B. No. 1119, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1572) recommending that H.B. No. 212, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1572 and H.B. No. 212, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred until Tuesday, April 13, 1999.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1573) recommending that H.B. No. 351, 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 Chun, 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 PRIVACY OF HEALTH CARE INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1574) recommending that H.B. No. 32, H.D. 2, 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. 32, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1575) recommending that H.B. No. 161, H.D. 1, 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. 161, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1576) recommending that H.B. No. 1622, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1576 and H.B. No. 1622, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1577) recommending that H.B. No. 294, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1577 and H.B. No. 294, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1578) recommending that H.B. No. 1073, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1578 and H.B. No. 1073, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1579) recommending that H.B. No. 955, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 955, 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 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1580) recommending that H.B. No. 996 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1581) recommending that H.B. No. 642, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 642, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand.

Com. Rep. No. 1582) recommending that H.B. No. 753, 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. 753, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1583) recommending that H.B. No. 989, 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. 989, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1584) recommending that H.B. No. 1017, 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. 1017, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1585) recommending that H.B. No. 8, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1585 and H.B. No. 8, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1586) recommending that H.B. No. 500, H.D. 3, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 500, H.D. 3, 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, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1587) recommending that H.B. No. 582, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1587 and H.B. No. 582, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1588) recommending that H.B. No. 1080, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1588 and H.B. No. 1080, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1589) recommending that H.B. No. 1111, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1589 and H.B. No. 1111, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1590) recommending that H.B. No. 1142, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1590 and H.B. No. 1142, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1591) recommending that H.B. No. 1153, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1591 and H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1592) recommending that H.B. No. 1636, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1592 and H.B. No. 1636, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1593) recommending that H.B. No. 336, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1593 and H.B. No. 336, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1594) recommending that H.B. No. 1183, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1594 and H.B. No. 1183, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1595) recommending that H.B. No. 1037, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1596) recommending that H.B. No. 1593, H.D. 1, 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. 1593, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1597) recommending that H.B. No. 159, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1597 and H.B. No. 159, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1598) recommending that H.B. No. 1160, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1598 and H.B. No. 1160, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1599) recommending that H.B. No. 167, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1599 and H.B. No. 167, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred until Tuesday, April 13, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1600) recommending that H.B. No. 171, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1600 and H.B. No. 171, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1601) recommending that H.B. No. 86, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 86, 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 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1602) recommending that H.B. No. 140, 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. 140, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand.

Com. Rep. No. 1603) recommending that H.B. No. 985, 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. 985, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1604) recommending that H.B. No. 1276, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1604 and H.B. No. 1276, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1605) recommending that H.B. No. 1711, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1605 and H.B. No. 1711, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1606) recommending that H.B. No. 1664, H.D. 3, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1606 and H.B. No. 1664, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1607) recommending that H.B. No. 747, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1607 and H.B. No. 747, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Tuesday, April 13, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1608) 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 Chun, 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 THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 13, 1999.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, April 13, 1999.

FORTY-EIGHTH DAY

Tuesday, April 13, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 10:12 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ken Miller, First 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-Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 267 to 286) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 267, advising the Senate of the withdrawal of the nomination of CALVIN K. MURASHIGE to the Defender Council, under Gov. Msg. No. 235 dated March 11, 1999, was placed on file.

In compliance with Gov. Msg. No. 267, the nomination listed under Gov. Msg. No. 235 was returned.

Gov. Msg. No. 268, submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of JENNIFER M.H.F. KIM, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 269, submitting for consideration and confirmation to the Board of Acupuncture, the nominations of MELVIN S.H. FONG and CHRISTIANE W. CHRIST, O.M.D., terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 270, submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nomination of PETER B.H. KIM, term to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 271, submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawai'i, the nomination of STEVEN J. ARAUJO, term to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, the nominations of DERYCK ISHIMOTO, JACK N. GUSHIKEN and ANTHONY KAUAHI, terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Barbers Point Naval Air Station Redevelopment Commission, the nomination of RICK EGGED, term to expire June 30, 2000, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 274, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of NICHOLAS G. OPIE, D.C., term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nominations of GREGORY S. ENDO, MARK H. FUJIMOTO

and ROBERT Y. KATSURA, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Environmental Council, the nominations of: LANCE K. GILLILAND and PAULINE SATO, terms to expire June 30, 1999 and June 30, 2003; and PHILIP K. OTA, STEVEN S.C. LIM, CHARLES A. PRENTISS, Ph.D., and MICHAEL A. FAYE, terms to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nominations of RONALD K. MIGITA, GERALD H. TAKEUCHI and LORNA A. NISHIMITSU, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nominations of THOMAS I. FUJIKAWA, KEN KOIKE and CREIGHTON D. ARITA, terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 279, submitting for consideration and confirmation to the State Highway Safety Council, the nominations of T.B. LYONS III, HARVEY A. SHAPIRO, GEORGE KAWAKAMI, LEILANI CHRISTY LEE and HERNANDO R. TAN, terms to expire June 30, 2003, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nominations of: JASON Y. UCHIDA, N.D. and CHARLES H. TURNER, terms to expire June 30, 2002; and AUDREY INABA, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Pest Control Board, the nomination of ERIC HIGASHIHARA, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Board of Physical Therapy, the nominations of JAN K. YOKOYAMA and JONI S. KANAZAWA, P.T., terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 283, submitting for consideration and confirmation to the Board of Psychology, the nominations of DAVID S. WEISS, Ph.D., BARBARA B. SLOGGETT, Ph.D., and GINGER A. KOLONICK, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 284, submitting for consideration and confirmation to the Real Estate Commission, the nomination of PATRICIA CHOI, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 285, submitting for consideration and confirmation to the Reproductive Rights Protection Committee, the nominations of JANICE IRENE HANSEN, M.D. and AMY KURAOKA-GOO, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 286, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology,

the nominations of: LINDA D. CHIU, M.D., terms to expire June 30, 1999 and June 30, 2002; FAITH Y. LEBB and THELMA YOSHIDA, terms to expire June 30 2001; and FAYE A.T. MATSUNAGA and JANICE S. SHINTANI, terms to expire June 30, 2002, was referred to the Committee on Commerce and Consumer Protection.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 459 to 463) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 459, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 72, H.D. 2 (S.D. 1);
 H.B. No. 77, H.D. 1 (S.D. 1);
 H.B. No. 83, H.D. 1 (S.D. 1);
 H.B. No. 154, H.D. 1 (S.D. 1);
 H.B. No. 165, H.D. 1 (S.D. 1);
 H.B. No. 170, H.D. 2 (S.D. 1);
 H.B. No. 248, H.D. 1 (S.D. 1);
 H.B. No. 260, H.D. 2 (S.D. 1);
 H.B. No. 307, H.D. 2 (S.D. 1);
 H.B. No. 310, H.D. 1 (S.D. 1);
 H.B. No. 326, H.D. 1 (S.D. 1);
 H.B. No. 602 (S.D. 1);
 H.B. No. 719, H.D. 2 (S.D. 1);
 H.B. No. 743, H.D. 3 (S.D. 1);
 H.B. No. 746, H.D. 1 (S.D. 1);
 H.B. No. 842, H.D. 2 (S.D. 1);
 H.B. No. 1149, H.D. 1 (S.D. 1);
 H.B. No. 1162, H.D. 2 (S.D. 1);
 H.B. No. 1180 (S.D. 1);
 H.B. No. 1367, H.D. 2 (S.D. 1);
 H.B. No. 1401, H.D. 2 (S.D. 1);
 H.B. No. 1496, H.D. 1 (S.D. 1); and
 H.B. No. 1675, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 460, transmitting H.C.R. No. 122, which was adopted by the House of Representatives on April 9, 1999, was placed on file.

By unanimous consent, H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE TO RECOMMEND THE USE OF HEMP FIBER SOIL EROSION CONTROL BLANKETS WHENEVER FEASIBLE," was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 461, transmitting H.C.R. No. 123, which was adopted by the House of Representatives on April 9, 1999, was placed on file.

By unanimous consent, H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE FEASIBILITY OF GROWING INDUSTRIAL HEMP IN HAWAII FOR BIOMASS ENERGY PRODUCTION," was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 462, transmitting H.C.R. No. 136, which was adopted by the House of Representatives on April 9, 1999, was placed on file.

By unanimous consent, H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE

RESTORATION OF MOKU'ULA AND LOKO O MOKUHINIA," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 463, transmitting H.C.R. No. 252, H.D. 1, which was adopted by the House of Representatives on April 9, 1999, was placed on file.

By unanimous consent, H.C.R. No. 252, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO LONG-TERM LEASES AND DEVELOPMENT AGREEMENTS WITH CANOE RACING ASSOCIATIONS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," 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.

STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1609) recommending that S.C.R. No. 174, 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. 174, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ALTERNATIVE MEDICINE," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1610) 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 ESTABLISHMENT OF A TASK FORCE ON ALTERNATIVE MEDICINE," was adopted.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1611) recommending that S.C.R. No. 132, 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. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," was adopted.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1612) recommending that S.C.R. No. 104, 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. 104, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," was adopted.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1613) recommending that S.R. No. 44, 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 THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM FRIDAY, APRIL 9, 1999

THIRD READING

Stand. Com. Rep. No. 1392 (H.B. No. 328, H.D. 1, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1392 was adopted and H.B. No. 328, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1393 (H.B. No. 562, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1393 was adopted and H.B. No. 562, S.D. 2, 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, 25. Noes, none.

H.B. No. 664, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN COMPANY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1397 (H.B. No. 531, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1397 was adopted and H.B. No. 531, 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. 1398 (H.B. No. 557, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1398 was adopted and H.B. No. 557, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," 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. 898, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1402 was adopted and H.B. No. 898, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," 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. 1008, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1406 was adopted and H.B. No. 1008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," 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. 1177, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1412 was adopted and H.B. No. 1177, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1417 (H.B. No. 172, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1417 was adopted and H.B. No. 172, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1422 (H.B. No. 314, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1422 was adopted and H.B. No. 314, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1424 (H.B. No. 374, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1424 was adopted and H.B. No. 374, H.D. 2, S.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.

Stand. Com. Rep. No. 1425 (H.B. No. 377, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1425 was adopted and H.B. No. 377, 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, 25. Noes, none.

Stand. Com. Rep. No. 1426 (H.B. No. 424, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1426 was adopted and H.B. No. 424, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO 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. 1428 (H.B. No. 547, H.D. 3, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1428 was adopted and H.B. No. 547, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1429 (H.B. No. 645, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1429 was adopted and H.B. No. 645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," 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. 978, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1431 was adopted and H.B. No. 978, S.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.

Stand. Com. Rep. No. 1434 (H.B. No. 1020, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1434 was adopted and H.B. No. 1020, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1197, H.D. 2, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1197, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," 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. 1683, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1449 was adopted and H.B. No. 1683, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 791, H.D. 2:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 791, H.D. 2, 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.

H.B. No. 1072, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1072, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1473 (H.B. No. 1350, H.D. 1):

On motion by Senator Tam, seconded by Senator Matsuura and carried, Stand. Com. Rep. No. 1473 was adopted and H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," 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. 1461 (H.B. No. 512, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1461 was adopted and H.B. No. 512, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1462 (H.B. No. 519, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1462 was adopted and H.B. No. 519, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1465 (H.B. No. 1460, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1465 was adopted and H.B. No. 1460, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRAIGNMENT AND CONFERENCING SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 47, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 47, H.D. 1, S.D. 1, 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.

H.B. No. 353, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 353, H.D. 2, 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.

H.B. No. 1063, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1063, H.D. 1, 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.

H.B. No. 1411, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1411, 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, 25. Noes, none.

Stand. Com. Rep. No. 1475 (H.B. No. 174, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1475 was adopted and H.B. No. 174, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1477 (H.B. No. 333, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1477 was adopted and H.B. No. 333, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," 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. 718, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1480 was adopted and H.B. No. 718, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1484 (H.B. No. 1, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1484 was adopted and H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1485 (H.B. No. 4, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1485 was adopted and H.B. No. 4, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," 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. 715, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1486 was adopted and H.B. No. 715, 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.

Stand. Com. Rep. No. 1487 (H.B. No. 1181, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1487 was adopted and H.B. No. 1181, H.D. 1, S.D. 2, 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. 1488 (H.B. No. 1186, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1488 was adopted and H.B. No. 1186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 325, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 325, H.D. 2, 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.

H.B. No. 658, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 658, 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.

H.B. No. 177, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 177, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 300, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1497 (H.B. No. 661, H.D. 3, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1497 was adopted and H.B. No. 661, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," 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. 1048, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1498 was adopted and H.B. No. 1048, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. 1499 (H.B. No. 1064, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1499 and H.B. No. 1064, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," was deferred until Tuesday, May 4, 1999.

Stand. Com. Rep. No. 1500 (H.B. No. 1079, H.D. 3, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1500 was adopted and H.B. No. 1079, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES," 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. 1624, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1501 was adopted and H.B. No. 1624, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," 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. 797, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1503 was adopted and H.B. No. 797, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1504 (H.B. No. 945, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1504 was adopted and H.B. No. 945, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," 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. 1280, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1505 was adopted and H.B. No. 1280, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1506 (H.B. No. 389, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1506 was adopted and H.B. No. 389, 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. 1511 (H.B. No. 1170, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1511 was adopted and H.B. No. 1170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1515 (H.B. No. 895, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1515 was adopted and H.B. No. 895, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," 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. 1120):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1516 was adopted and H.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," 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. 1125, H.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1517 was adopted and H.B. No. 1125, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1519 (H.B. No. 1620, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1519 was adopted and H.B. No. 1620, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1526 (H.B. No. 1296, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1526 was adopted and H.B. No. 1296, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1649, H.D. 2, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1649, H.D. 2, 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.

Stand. Com. Rep. No. 1530 (H.B. No. 749, H.D. 3, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1530 was adopted and H.B. No. 749, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1532 (H.B. No. 830, H.D. 1, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1532 was adopted and H.B. No. 830, H.D. 1, S.D. 2, 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. 1533 (H.B. No. 104, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1533 was adopted and H.B. No. 104, H.D. 1, 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.

H.B. No. 10:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, H.B. No. 10, 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. 11, H.D. 1, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, H.B. No. 11, H.D. 1, 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. 657, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 657, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1558 (H.B. No. 827, H.D. 3, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1558 was adopted and H.B. No. 827, H.D. 3, 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, 25. Noes, none.

H.B. No. 375, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 375, 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, 25. Noes, none.

Stand. Com. Rep. No. 1569 (H.B. No. 1115, H.D. 2, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1569 was adopted and H.B. No. 1115, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1575 (H.B. No. 161, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1575 was adopted and H.B. No. 161, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," 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. 1622, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1576 was adopted and H.B. No. 1622, H.D. 1, S.D. 1, 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, 25. Noes, none.

H.B. No. 955, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 955, 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.

H.B. No. 500, H.D. 3, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 500, H.D. 3, 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. 1587 (H.B. No. 582, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1587 was adopted and H.B. No. 582, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1590 (H.B. No. 1142, H.D. 3, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1590 was adopted and H.B. No. 1142, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1591 (H.B. No. 1153, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1591 was adopted and H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR 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. 1598 (H.B. No. 1160, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1598 was adopted and H.B. No. 1160, H.D. 1, S.D. 2, 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.

At 10:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:26 o'clock a.m.

MATTERS DEFERRED FROM FRIDAY, APRIL 9, 1999

THIRD READING

Stand. Com. Rep. No. 1399 (H.B. No. 677, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1399 be adopted and H.B. No. 677, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in support of the measure with reservations and stated:

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

"The original measure, I think, called for an appropriation of \$100,000 for yet another study. We have spent money on this ocean platform in terms of having a conference prior to this. There is abundant research out in the real world as to what the possibilities are. I believe the Japanese and others have been working on this, so I have reservations. I would like to see the University become more prominent. I'd like to see us do things. I don't want to see more studies, however.

"Thank you."

Senator Taniguchi rose to support the measure and stated:

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

"Mr. President, this is a bill that was supported by the late Dennis Toyomura who actively lobbied for this bill and who recently passed away. I would hope that the members would support this bill in his memory.

"Thank you."

Senator Iwase then added:

"Mr. President, I'm rising to speak in support of the bill.

"I would like the comments of the Senator from Manoa incorporated as though they were my own. This is something for Dennis."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1399 was adopted and H.B. No. 677, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, would it be improper if I wanted to stand on a point of personal privilege?"

The Chair responded: "Please state your point."

Senator Anderson continued:

"Thank you very much, Mr. President.

"Since we just started and this was the first bill, I'd like to say that there's been some rumors around that a lot of us vote because of our party. I would like you to know, if that's the case then I would vote against every bill here and we could all play games. I think we've come to the point where most of us feel that we owe the people of the State of Hawaii the best that we can possibly give to help them. And that's what most of these bills reflect. It has nothing to do with party. And that's what I'd like to say this morning. There have been some bills that have been overlooked that might have moved us forward economically, but for the best part, most of us here are going to be voting for what's good for the State of Hawaii and not because of party.

"Thank you very much, Mr. President."

Stand. Com. Rep. No. 1403 (H.B. No. 949, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1403 was adopted and H.B. No. 949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1405 (H.B. No. 1006, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1405 was adopted and H.B. No. 1006, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1407 (H.B. No. 1012, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1407 be adopted and H.B. No. 1012, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure and stated:

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

"Mr. President, the bill is a good bill. It promotes recycling. We're all in favor of recycling, but I will be entirely consistent. I will vote against every bill that seeks to establish or re-establish a special fund within the State.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1407 was adopted and H.B. No. 1012, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII 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. 1409 (H.B. No. 1095, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1409 be adopted and H.B. No. 1095, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to speak on the measure with reservations and said:

"Mr. President, I will be voting for this measure with some reservations.

"I'm just worried that the Office of Hawaiian Affairs was started, supposedly, not as a part of the State, yet it is depending on some of its budget to come from us, and we are looking at giving them a retirement fund and other things. I have some questions as to if those funds will ever be returned to the State, if in fact they will be excluded as a department and stand on their own, whereby those of us who do vote for the Office of Hawaiian Affairs trustees will make them where they are subject to do the best that they can for the overall Hawaiian community and not have to worry about if they are going to be doing the best that they can for the constituency of the State of Hawaii and not the beneficiaries for whom they represent.

"The way it stands right now, it seems that we're looking at taking some of the dollars that OHA has for benefits of different types of state funding that we need. And also, we look at the trustees who are looking at trying to invest the money rather than put them out for the programs that are very needed for the Hawaiian community.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1409 was adopted and H.B. No. 1095, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1413 (H.B. No. 1575, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1413 be adopted and H.B. No. 1575, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure as follows:

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

"While I'm certainly in favor of all kinds of initiatives for young people and for conferences and activities that will bring people to the State of Hawaii, I'm troubled by this bill. First of all, it's sponsored by an organization called Peace Child International, which is a London based corporation, non-profit, and also supported by the United Nations.

"During the hearings there was conflicting testimony as to what the money was going to be used for, who the money was going to pay for, who was going to choose the delegates from around the world, and I think the last bit of testimony was that there probably would be no more than two delegates from the State of Hawaii. We'll be bringing in young people, but the question is what the agenda would be.

"In the past, unfortunately, we have gotten involved as a state and as a nation in using taxpayer money to support those kinds of projects and those kinds of activities that basically did not stress the free market, did not stress our Republican form of government, did not stress overall economic development, and in fact, using money to host and to sponsor conferences and seminars in opposition.

"So, while I certainly applaud the efforts of a private entity to do this on their own, I do not think that the State should be using taxpayer money to do this, particularly when we are using a blank amount or a \$2 amount to do it. So I will be voting 'no.'

"Thank you."

Senator Chun Oakland rose to speak in support of the measure and said:

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

"The Millennium Young People's Congress, which will occur from October 25 to 29, is an effort on the part of the United Nations in conjunction with the State of Hawaii who has been chosen as the host site for this international congress to occur. Hawaii had vied with London for the honor of being the host for this international event. It will involve over 193 countries. Young people from all over the world will be here -- two per country being represented -- along with many local students who will be involved not only as representatives at the Congress but also as volunteer stewards who will be participating in making sure that the Congress and its activities

will be undertaken and implemented in a very professional manner.

"It is quite exciting to know that there will be 15- to 18-year olds from all over the world that will be discussing global issues in regards to the sustainability of the globe in the next millennium. And I think we're very honored to be that host for this international conference, and I know that there will be much publicity world-wide about this event and for a very worthy cause.

"Thank you."

Senator Anderson inquired:

"Mr. President, may I ask the chairman of the committee a question?"

Senator Chun Oakland having answered in the affirmative, Senator Anderson continued:

"I know that there's a \$2 figure. Do we have an accurate figure of approximately . . . because that's what we seem to end up with rather than an accurate but an approximate figure."

Senator Chun Oakland replied:

"Yes, it's \$250,000 and this is an appropriation bill specifically to make sure that the homestay accommodations for all the young people that will be coming from the various countries . . ."

Senator Anderson interjected:

"So it's approximately \$350,000?"

Senator Chun Oakland responded:

"Two hundred and fifty thousand dollars."

Senator Anderson then said:

"Two hundred and fifty thousand dollars. Mahalo."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1413 was adopted and H.B. No. 1575, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1427 (H.B. No. 440, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1427 was adopted and H.B. No. 440, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1433 (H.B. No. 988, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1433 be adopted and H.B. No. 988, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure as follows:

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

"We have been talking about Year 2000 compliant bills and exempting liability and paying costs for several years now. First of all, I take issue with this as an emergency appropriation. Secondly, in the testimony that's been given in the hearings, the Department of Accounting and General Services and other state departments have said that they are right on schedule and they're near to where they're supposed to be. They'll be finished by September. Therefore, I don't think they need either additional immunity nor additional taxpayer appropriations for this.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1433 was adopted and H.B. No. 988, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1438 (H.B. No. 1138, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1438 be adopted and H.B. No. 1138, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations and said:

"Mr. President, I'd like to speak in support of the bill with reservations, and my reservations have to do with the concern for individual privacy and the distribution of medical information.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1438 was adopted and H.B. No. 1138, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1440 (H.B. No. 1166, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1440 be adopted and H.B. No. 1166, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1440 was adopted and H.B. No. 1166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1445 (H.B. No. 1416, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1445 was adopted and H.B. No. 1416, H.D. 2, S.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 (M. Ige).

Stand. Com. Rep. No. 1446 (H.B. No. 1628, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1446 be adopted and H.B. No. 1628, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"It's a good bill. We certainly want to improve and encourage agriculture and agricultural loans, fine. My only concern and my reservation is how the fee is going to be determined for underwriting and services. I think we need some guidelines. I don't want to see the fees as a revenue producing activity.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1446 was adopted and H.B. No. 1628, S.D. 2, 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 (M. Ige),

Stand. Com. Rep. No. 1447 (H.B. No. 1641, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1447 be adopted and H.B. No. 1641, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Nakata requested a conflict ruling as follows:

"Mr. President, I request a ruling on a possible conflict of interest."

The Chair responded:

"Please state your potential conflict.:

Senator Nakata replied:

"The agency that I work for off-session may benefit financially from this bill."

The Chair ruled that Senator Nakata was not in conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1447 was adopted and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1450 (H.B. No. 1693, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1450 be adopted and H.B. No. 1693, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1450 was adopted and H.B. No. 1693, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 1458 (H.B. No. 1172, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1458 be adopted and H.B. No. 1172, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom, rising in opposition to the measure then stated:

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

"This is another bill that creates yet another special fund. Also, it will increase the number of employees and the amount of government which goes against the platform, I think, of the Majority party, so I vote 'No.'"

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1458 was adopted and H.B. No. 1172, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

THIRD READING

Stand. Com. Rep. No. 1459 (H.B. No. 274, H.D. 3, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1459 be adopted and H.B. No. 274, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak on the measure with reservations and said:

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

"Mr. President, this bill . . . I guess I'm deeply concerned that separation of the family unit will result if this bill is passed in its present form. I believe we're moving too fast and too often in allowing the Department the opportunity to file a motion for a permanent planned hearing if the child has been residing outside the family for 12 consecutive months or an aggregate of 15 out of the past 22 months.

"Mr. President, I believe the family unit is important to facilitate family culture, customs, discipline and responsibilities, and some cultures require a longer time than others, therefore, a specific time is not what's considered to be best in this case for a permanent plan hearing.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1459 was adopted and H.B. No. 274, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1460 (H.B. No. 510, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1460 be adopted and H.B. No. 510, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"We all understand that all public employees should be protected in the area of Felix/Cayetano, and the Department of Education folks will be in the front lines. What troubles me, Mr. President, is that this should be a job for the Attorney General and not to go out and hire additional attorneys, and that's what we're doing not only in the DOE but also in other agencies in other bills that will be coming up. I think it is improper that we do that because our first responsibility is to take care of Felix/Cayetano. We have a time certain date on that, and I know that the Attorney General is busy with so many other activities but I think this is yet another example of the Attorney General's office not establishing priorities. So I'll vote with reservations.

"Thank you."

Senator Anderson then said:

"Likewise, Mr. President. I believe we brought this up in the first round and the bill hasn't really changed any."

Senator Kawamoto rose to support the measure as follows:

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

"Mr. President, this bill came about because of the fact that our people in the field have no confidence in the Attorney General to protect their rights and protect their ability to do their jobs. That's the reason why we had to put this bill forward and we ask all of our colleagues to vote 'aye' on his bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1460 was adopted and H.B. No. 510, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1463 (H.B. No. 522, H.D. 3, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1463 be adopted and H.B. No. 522, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"I support the concept. I support what we're doing. However, the advisory body of the Executive Council had indicated that in fact they did not want to become an advisory body to the Board of Education.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1463 was adopted and H.B. No. 522, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT,"

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

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

Stand. Com. Rep. No. 1464 (H.B. No. 980, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1464 be adopted and H.B. No. 980, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1464 was adopted and H.B. No. 980, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MATTER DEFERRED FROM FRIDAY, APRIL 9, 1999

THIRD READING

Stand. Com. Rep. No. 1472 (H.B. No. 1083, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1472 was adopted and H.B. No. 1083, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

THIRD READING

Stand. Com. Rep. No. 1474 (H.B. No. 20, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1474 be adopted and H.B. No. 20, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom, rising in opposition to the measure, then stated:

"Mr. President, I'm rising to speak against the bill.

"I had indicated earlier that I would go along with salaries this year as long as all of the other financial concerns were taken care of by this Legislature, and also that our promise on the first day of this Legislature to stimulate economic development and a better business climate would be realized. Unfortunately, we have not kept our promise. We have not done anything. We've not passed anything. We've not turned the economy around, other than to have the Baywatch babes, of course, coming. And while I believe that the judges do, in fact, deserve a pay raise, we are back to the point where we don't know how much that pay raise is going to be. It was going to be 18 percent, retroactive. Now we have a blank amount. Everybody is worrying about what's going to happen in conference, but we're called upon to vote today. So, voting without actual figures and without having legislation that has improved our economy so that we can pay greater salaries, I'm forced to vote 'no.'

"Thank you."

Senator Tam rose with reservations as follows:

"Mr. President, I stand before you to vote with reservations on this bill.

"Mr. President and fellow colleagues, to be consistent in terms of what I said before, I truly believe that since agreements were made in collective bargaining last year or so, we should keep our promise and, therefore, judges or executives, cabinet members, and even ourselves should be secondary.

"Also, I received a letter from Chief Justice Moon. He expressed concern over what I said previously in terms of what he had stated about two years ago that he would fire clerks. Well, he expressed concern because he feels that morale would be lowered if people knew what he said. And therefore, he acknowledges truthfully that clerks within the Judiciary should receive a pay raise first before he does.

"Thank you."

Senator Iwase requested a conflict ruling as follows:

"Mr. President, a ruling on a conflict.

"A family member is a judge."

The Chair responded:

"The Chair rules no conflict. You may vote on this measure."

Senator Buen requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1474 was adopted and H.B. No. 20, H.D. 2, 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, 22. Noes, 3 (M. Ige, Kanno, Slom).

Stand. Com. Rep. No. 1476 (H.B. No. 176, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1476 be adopted and H.B. No. 176, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"I think that basically it's a good bill with a good intent. Unfortunately, I think that we've got a problem in terms of fees and penalties, and this could turn out to be a very bad bill for both retailers and consumers, depending on how the administrative rules are actually developed.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1476 was adopted and H.B. No. 176, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1478 (H.B. No. 499, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1478 be adopted and H.B. No. 499, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations and said:

"I'm going to rise to support the bill with reservations, Mr. President.

"I'm just wondering whether putting OHA trustee retirees on the public retirement system is constitutionally valid. I haven't heard that issue addressed, so I would like to hear a clarification on that, but in the meantime I still will go with reservations.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1478 was adopted and H.B. No. 499, H.D. 2, S.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, 25. Noes, none.

Stand. Com. Rep. No. 1479 (H.B. No. 700, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1479 was adopted and H.B. No. 700, H.D. 1, S.D. 2, 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. 1481 (H.B. No. 806, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1481 be adopted and H.B. No. 806, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Inouye rose to speak against the measure as follows:

"Mr. President, I speak in opposition of this bill.

"My office has been inundated with phone calls and my constituents have expressed serious concerns about this bill. They tell me that a racing park is incompatible with the surrounding areas and just a bad site for the speedway.

"For those reasons, Mr. President, I will be voting in opposition of this bill."

Senator Slom also rose to speak against the measure as follows:

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

"I think, first of all, the land to be granted by the State in this bill is not specifically identified. Secondly, the alleged investors are not identified. Thirdly, the bill itself makes no specific mechanism for the land exchange. Fourth, the bill doesn't identify which state agency or entity shall decide whether to make the exchange or what guidelines it shall use in making the ultimate decision, if any. And fifth and finally, we have to ask the question, Why should the people of the State pay for half the appraisal if the concern is that the appraiser be disinterested? Make the other party pay and give the State the money to pay for the appraisal.

"I think there are too many questions about this and I think we've been around before on raceway parks. I don't want us to get into that situation again.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

At 10:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:57 o'clock a.m.

Senator M. Ige then rose in opposition to the measure and stated:

"Mr. President, after discussion with the Senator who represents that area, I will be voting 'no' on this measure.

"Thank you."

Senator Iwase rose to speak on the measure with reservations and said:

"Mr. President, because of the questions raised by the Senator from Hawaii Kai, please record a 'with reservation' vote for me.

"Also, I believe the normal process in the past was, and I think it's by statute, that we disapprove land exchanges and at that time more specifics are presented to the Senate to make a determination of whether to approve or disapprove. I believe it's a disapproval process. But because of the questions raised, I will support the bill with reservations.

"Thank you."

Senator Levin then said:

"Could I request an 'end of calendar' for this item?"

By unanimous consent, action on Stand. Com. Rep. No. 1481 and H.B. No. 806, H.D. 2, S.D. 2 was deferred to the end of the calendar.

Stand. Com. Rep. No. 1482 (H.B. No. 1018, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1482 be adopted and H.B. No. 1018, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak on the measure with reservations and said:

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

"Mr. President, I agree with the intent to help people have homes, but I have grave concern with the bill because of the potential adverse impact to the owners of these federally assisted rental housing projects. With all of these caveats imposed on the owners, such as the right of first refusal to the tenant association and to provide a one-year notice for any intent to terminate a subsidy contract, I dare say there'll be very little desire or incentive of developers to take the financial risks to provide rental units, homes, for many people needing them.

"So, is it good public policy to benefit having 20 years of affordable units provided by the owners of a building, then changing the rules on the owners? For this reason, I vote with reservations."

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

Senator M. Ige then stated:

"Mr. President, may the words of Senator Sakamoto be entered into the Journal as though they were my own, and I will be voting 'W/R.'"

The Chair so ordered.

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Tam rose to speak in support of the measure and said:

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

"I thank you for the concerns of my colleagues, but just to alleviate any misunderstanding, all we're doing is being consistent with the federal government in providing one-year notice.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1482 was adopted and H.B. No. 1018, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION 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. 1483 (H.B. No. 1035, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1483 was adopted and H.B. No. 1035, H.D. 1, S.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, 25. Noes, none.

Stand. Com. Rep. No. 1489 (H.B. No. 252, H.D. 3, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 1489 be adopted and H.B. No. 252, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak on the measure with reservations and said:

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

"Gosh, you know we've been discussing this bill before I got here and we're still discussing this bill. And I thought we had an agreement on this bill. All the parties seem to be in agreement. They worked very hard together, both private sector educational institutions and public sector and the state government. And then there were some changes made to the bill late on that caused reason for concern.

"So, I will support the concept. We certainly don't want diploma mills in our State, but on the other hand, we don't want to squelch any new technology or additional educational choices and opportunities for our residents and citizens.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1489 was adopted and H.B. No. 252, H.D. 3, 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, 25. Noes, none.

H.B. No. 997, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 997, H.D. 1, S.D. 1, entitled:

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

Ayes, 25. Noes, none.

H.B. No. 1338, H.D. 1:

Senator Tam moved that H.B. No. 1338, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Sakamoto, rising in opposition to the measure, then stated:

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

"This measure limits the general contractor's retention to 5 percent, Mr. President, and there's voluminous testimony on both sides of the measure, and I feel strongly that many people do not understand retainage as used in the construction industry.

"Currently, in the marketplace the standard practice is 10 percent, and even then, general contractors are often forced to pay out-of-pocket when a subcontractor does not satisfactorily perform a job. So, retention and bonding are existing tools to assure that a taxpayer in this State receives a quality product in a timely fashion.

"This measure, if moved forward, removes public safeguards and allows government to interfere with contractual obligations between general contractors and subcontractors.

"Now let's say, Mr. President or anyone here, you hired a general contractor to renovate your kitchen for \$20,000. And being concerned -- you want to be assured that the work is completed, that all the bills are paid, that you don't get a mechanic's lien or you don't have somebody asking you for the money later on -- you ask your general contractor, 'So how can you assure me that the work will be done? How can you assure me that my plumber won't come two months later saying, pay me? So the general contractor says, 'Well, you could retain some of the money. You could retain part of what you owe me.' The general contractor also says, 'You could ask for a bond, a performance bond, that an insurance company will be behind to assure that the work will be completed. In addition, you can ask for a payment bond that payments will be made to assure that you won't have to pay two times, that the insurance company will pay.' So you and the general contractor agree that you, the owner, can retain money; that you, the owner, shall have a performance bond; that you, the owner, shall have a payment bond. And who are all these protections with? The general contractor. So you have this assurance.

"Now, the general contractor has to deal with his subcontractors -- the plumber that doesn't finish or doesn't provide what's correct, and the general contractor has to correct that. The general contractor has a subcontract with his subs. They agree on that relationship and it's usually a 10 percent retainage and usually no bond. Many subs in our State cannot bond.

"Finally, Mr. President, let me read part of our Department of Accounting and General Services testimony. This is dated April 5:

'The concern we have regarding the regulation of subcontractors, certainly DAGS contracts only with the general contractor. All responsibility for the success of the project rests with the general contractor. If the State starts to regulate subcontractors, there may be repercussions such that the State may be held responsible to resolve all disputes between the contractor and the subcontractor. This would be a heavy burden that could affect the timely completion of many projects.'

"So for those reasons, Mr. President, I'm voting 'no.'"

Senator Chumbley also rose in opposition to the measure and stated:

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

"Colleagues, this is a House draft. This bill is going to go directly up to the Governor, so I think you need to be very thoughtful about this proposal. This bill deals with the retainage issue, and right now the State has a contractual obligation to the general contractor and not to the subcontractor. With this bill, the State is putting themselves in a new mandated relationship with the subs. And I'm not sure we really want to do that, Mr. President.

"Some of the problems that the generals have been sharing with me about the retainage include the issue of past performance of a sub where it may have been poor, so they retain more money to make sure that they can cover the work that the general must go back and do. Subs have not been paying their employees properly in some cases -- for example, the Davis-Bacon obligations -- or they've not been paying their suppliers or generals or paying the suppliers so the generals retain a higher percentage for the risk that the subs put them in.

"Also, some of the subs are not paying the trust funds as they are obligated to do. Those trust funds are not audited but maybe once every six months to a year. So therefore, the subs are running out on their obligations to some of the trust funds.

"Mr. President, this measure appears to be a solution looking for a problem, and I urge all my colleagues to reject this bill."

Senator Tam rose to support of the measure as follows:

"Mr. President and fellow colleagues, I speak in favor of this bill.

"Let me point out some points in terms of this bill. First of all, it does not involve in terms of private funds. It involves state funds. Secondly, the concern is the misuse of government funds, basically by the general contractor when he pays in terms of the subcontractor. Thirdly, the State retains 5 percent from the general contractors. Therefore the general contractor shall retain no more than 5 percent to the subcontractor in the use of state funds.

"Also, if I may address in terms of concern, if the general contractor wants to make sure that the work is done properly by the subcontractor and if I were a general contractor, I would bond my subcontractor. If the general contractor does not want to bond the subcontractor because he or she wants to make more money, that's their fault.

"Thank you."

Senator Sakamoto rose again in opposition and said:

"Mr. President, I think people in the industry, generals and subs, know about bonding. Bonding is not to be taken lightly. It's a financial responsibility tool.

"The reason why many subs are subs and not generals is that many of them cannot get a bond, so they work as subcontractors. To lightly say that, well, why don't the generals just bond subs? The subcontractor bond, many times, costs 2 or maybe 5 percent.

"Now, if all of you were subcontractors to me, a general contractor, and I said, 'Okay, all 24 of you go get bonds. Go pay the insurance company in Chicago, in Seattle, wherever. Pay them your 5 percent and I'll hire you, or work with me the way I work with my private industry clients. We'll do 10 percent retainage, or if you agree, maybe we'll do something

else, and in the end you get all your money.' Why should we say, paying 5 percent to somebody, someplace else, some insurance company is going to solve our problems? You've got to understand this industry. You've got to understand what bonding is. And in the real world, in this State, if you're a representative of the subcontractors here, probably 20 percent of you can get a bond on your own with the right rates. Most of you would have to go look for somebody else to help you get that bond."

Senator Inouye then stated:

"Mr. President, in light of the discussion here this morning, please register a 'no' vote for me."

Senator Anderson rose to speak with reservations on the measure as follows:

"Mr. President, I listened to everyone as much as possible, and what Senator Tam said made me look at the bill and he's right. It does say 'public contracts.' Before the representatives who were voting 'no' in the back of me . . . I have reservations, I'm sorry.

"I have bid in the past. I think the problem with most people is there wasn't a contractor, sub or general, who even entered my office. It's because I do bid or have bid in the past and I understand exactly what he's saying. But I have reservations because both sides are right. There have been contractors who have not paid their subs accordingly and there are subcontractors who have not fulfilled their obligations. So that's why I have reservations.

"But I think that it's important that if people want you to vote on a particular measure, they darn well better talk to you. Otherwise, it's very hard for us to come up with, 'I'm 100 percent behind you or I don't support you.' And it's great. I was just accused the other day because it just so happened that I was a swing vote, I guess you would call it, and when I voted 'no,' everybody and his brother said, 'It's you.' There's only two Republicans. But when it failed, it was my fault. If it passes, it doesn't make a darn. You're not worth very much, anyway. Your vote doesn't count. And that's what makes it so laughable. They don't come in to talk to you -- anyone. But when you vote, they take it very, very positively that you're against them. How the hell are you against them or for them, if they never talk to you.

"This bill is a very complicated one because it represents both sides of the story. That's why I've always said I've been for licensed contractors. I'm for people who are locally hired. I'm not interested in anything else. I'm not interested in who's right and who's wrong as far as a general and a sub.

"So I have reservations, very strongly, Mr. President, because they are both right. So, for those reasons, I will be going 'with reservations.'

"Thank you."

Senators Tanaka, Taniguchi, Buen, Chun Oakland, Matsunaga, Chun, D. Ige, Bunda and M. Ige 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. 1338, H.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, 20. Noes, 5 (Chumbley, Inouye, Iwase, Sakamoto, Slom).

At 11:15 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.

H.B. No. 999, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 999, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME," 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. 133, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1502 be adopted and H.B. No. 133, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"Act 168, last year, was a landmark piece of legislation -- the small business reform and flexibility act -- and it was due to the efforts of a great many people in the small business community. I notice that Ms. Betty Tatum of NFIB is here today. She had a leading role to play in that bill. The act was recognized nationally. The State is being used as a model. What's wrong with this picture? We haven't done anything. The bill was enacted into law in July of last year and there were some specific provisions made for a council to be appointed. It has not.

"The key provision in this bill is the small business defender position, which the Legislature took great pride in. However, no small business defender has been appointed. No office has been established. No appropriations have been made. And last year we saw that the Office of the Ombudsman did not want the position there. And then we saw jockeying between the House and the Senate for where the position was going to go and who's going to appoint that person. Then the Governor's Office got involved in it.

"And now we've evolved to this bill here. This bill, besides having a defective date of July 1, 1801, also takes the position now out of the Legislature, and puts the position within the Department of Commerce and Consumer Affairs, which is contrary to what we said and what we said we wanted to do, and that is to have legislative intent to show that we were in favor of small business. In addition, there is no appropriation amount. There's no specifics on how the defender position is going to be selected. And the idea that it's taken from the Legislature and given to DCCA means that DCCA will have both the selection process and also the right of appropriation and salary.

"So, while I support, certainly, the measure and we applaud the things that were done, I think that too often, after the applause is over and after people start reading the fine print, we find out that we really haven't done that much after all. And I would urge my colleagues that when we go into conference to make sure that we get back to the original intent of those small business people that worked so hard and so long on this process, and we fund the position and get on with it without delay.

"Thank you, Mr. President."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1502 was adopted and H.B. No. 133, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE SMALL BUSINESS DEFENDER POSITION

AND OTHER SUPPORT PERSONNEL ESTABLISHED UNDER ACT 168, SESSION LAWS OF HAWAII 1998," 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. 532, H.D. 3, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1507 be adopted and H.B. No. 532, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure and stated:

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

"It's like so many other things that we talk about. It seems like such a simple thing -- gender equity. Who, in fact, can be opposed to gender equity? And the answer is no one could be or should be.

"Secondly, we find that we have dragged our feet for many years now in terms of high school athletics. We have federal rules which govern college athletics and we have federal rules which also govern high school athletics, as well. But somehow we found that one gender, particularly young female athletes, has been left behind, and things have not been done in terms of giving them equal access to sports, recognizing their abilities, making it easier for them in terms of qualification for scholarships because of scheduling conflicts and everything else.

"So, the simple matter seems to be, pass a law and say we will have gender equity. The problem is that if we're really talking about gender equity, it goes far beyond this bill. And it goes far beyond just proclaiming that we're all in favor of it, and I think that we should all be aware that what we're doing and what we're supporting in this bill means that we will have a continual financial support for changing existing athletic fields, for purchasing probably more land, for adding more staff, for doing the things that have to be done to truly bring gender equity.

"As I said, I speak in favor of this bill, but I want my colleagues and I want the public to understand that just by saying that we're for gender equity is not going to bring it about, and it is going to cost us a great deal more in the future.

"Thank you."

Senator Anderson also rose to speak on the measure with reservations and said:

"Mr. President, I'm going with reservations, but when we went over this bill originally, I even asked them what's the need for it. My understanding is we already have gender equity -- girls and boys are wrestling, they play soccer, they do other things together. But it was my understanding in trying to get more information that we should be offering more, say, athletic responsibilities to women. We should be making sure that they do get the scholarships, making sure that they are in equity with the men. And that's what this bill is all about. It's not who's participating on different teams. It's to make sure that there's going to be jobs provided at equal pay and making sure that they're going to be looked upon as equals to the men.

"But I did have reservations on even needing this bill. I would hope that we could have spelled it out so everybody would know what they're voting for, so we're not in any way hampered by thinking we're voting for one thing when in reality it's to try to do something in the future.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1507 was adopted and H.B. No. 532, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," 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. 634, H.D. 1, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 1508 be adopted and H.B. No. 634, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Slom rose to speak in support of the measure with reservations as follows:

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

"Certainly, we, in the past, present and I'm sure in the future will be recognizing all groups that have come to Hawaii and made their marks and made many contributions. And the 100th anniversary of the Puerto Rican arrivals is worthy of celebration. But I'm a little curious as to why this bill, unlike bills that we've had in the past celebrating the arrival of the Japanese, the Chinese, the Okinawans and everyone else doesn't speak really to that, because in this bill we have a fund created to be known as the 'ethnic celebration trust fund.'

"Now, every other fund, every other appropriation that we've passed here has been very specific to the people and to the culture that has been represented. I don't know why this doesn't say for the Puerto Rican arrival celebration fund or something else, or why it has suddenly become the 'ethnic celebration trust fund.' That's number one. Number two, of course, it is a blank amount so we don't know how much is planned and that's not good fiscal policy.

"So I will support the intent, but with reservations.

"Thank you."

Senator Anderson rose to speak with reservations as follows:

"Reservations, and again I'll ask if the chairman or whoever has an idea on what we are looking at in dollars and cents, if we were just to support the Puerto Rican celebration of the centennial."

Senator Inouye responded:

"Mr. President, I'll be happy to respond. Would you state your question again."

Senator Anderson inquired:

"I'd like to know, rather than establishing a commission, I'd like to know what the cost would be to celebrate the centennial of the Puerto Rican community."

Senator Inouye replied:

"I believe the request is for \$100,000, the same as the Okinawan festival and those in the past."

Senator Anderson continued:

"If I might, Mr. President, I do support this, but I do remember when we were in the House, we had a centennial for the Norwegians, the Scandinavians -- \$30,000 and they had wanted a one-time only. And it was killed by this administration today who took it away when they were in charge of Finance or Ways and Means because I believe he was in the Senate. The problem that I had at that time is every one of us who are made up of different ethnic backgrounds, I think,

is very proud that we can celebrate our centennial. At that time when it was killed, we were told, who really cares, it's only a bunch of haoles anyway. That's the kind of attitude that we had. I would never go against a centennial because of an ethnic 'unliking' if you would like to say that, or discrimination of some type.

"I don't know if we have to really establish a commission, but I'd like to say that I'm very happy that we're going to celebrate the centennial of the Puerto Ricans. I have a grandson who's part Puerto Rican. So I would like to let you know that most of us are made up of a whole bunch of different ethnic backgrounds and to go against any ethnic background because of a personal problem that you have with an individual, I think, is wrong. So for that reason, I would hope all of my colleagues will vote for that in the spirit of the centennial for an ethnic group that well deserves it.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1508 was adopted and H.B. No. 634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1509 (H.B. No. 855, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 1509 was adopted and H.B. No. 855, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1510 (H.B. No. 1088, H.D. 2, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 1510 be adopted and H.B. No. 1088, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senators Bunda and Kawamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1510 was adopted and H.B. No. 1088, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Chun Oakland, Iwase, Kanno, Slom, Tanaka). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 1512 (H.B. No. 1198, H.D. 1, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 1512 be adopted and H.B. No. 1198, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Slom rose in opposition to the measure as follows:

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

"Yet again, this is yet another special fund that we're creating. I think it's poor fiscal policy. I'll vote 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1512 was adopted and H.B. No. 1198, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT

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

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 1513 (H.B. No. 1637, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1513 be adopted and H.B. No. 1637, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson spoke with reservations on the measure as follows:

"Mr. President, I'm going to have reservations on this particular measure and that's because we're going to allow tour buses that are not up to standard for safety.

"Years back when you had buses that transported children back and forth, be it private or not (Kamehameha Schools for instance was painted blue and white; Punahou was buff and blue), we had numerous pre-school buses that had little children on them or nursery rhymes or whatever, and they would be able to tell their children which buses to get on. In order for us to get federal funding, we had to bring all of those buses, including those we had already contracted with, Gomes and others, up to standard. That meant that all of the buses had to be reinforced. They all had to be painted yellow. They had to come up to a standard of safety for our children.

"This bill says minimum safety standards such as we have in the City and County. Those are the reasons that I have some real concerns. I think that what we're looking at is trying to be expedient in getting children back and forth, one way or the other. But we're not looking at the safety of our children who should be first and foremost. So I have reservations and I hope that when we go into committee, you'd be thinking of what's happening to the type of safety that you want and to see if we do have any buses, tour buses, that have the standards that we're looking for.

"Thank you very much, Mr. President."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1513 was adopted and H.B. No. 1637, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," 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. 1660, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1514 was adopted and H.B. No. 1660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

Stand. Com. Rep. No. 1518 (H.B. No. 1146, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1518 be adopted and H.B. No. 1146, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

"We're raising the fees here, substantially. We're also selectively exempting certain groups of people. I think that this is more of a revenue enhancement measure than trying to pay back the actual cost of duplicating these records. No, please."

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1518 was adopted and H.B. No. 1146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1520 (H.B. No. 1663, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1520 was adopted and H.B. No. 1663, H.D. 2, 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. 1521 (H.B. No. 157, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1521 was adopted and H.B. No. 157, H.D. 2, S.D. 2, 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. 1522 (H.B. No. 1450, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1522 be adopted and H.B. No. 1450, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1522 was adopted and H.B. No. 1450, 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.

Stand. Com. Rep. No. 1523 (H.B. No. 1454, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1523 be adopted and H.B. No. 1454, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak on the measure with reservations and stated:

"I rise in support with reservations.

"While the bill is basically a good bill in that it has a blanket uniform \$100 fee for probates, it also adds and increases additional fees for court usage. So I have reservations.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1523 was adopted and H.B. No. 1454, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1524 (H.B. No. 1471, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1524 be adopted and H.B. No. 1471, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition to the measure as follows:

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

"Unlike some of the press that was given recently to the activities of the Office of Elections and the Elections Appointment Review Panel, I'm not convinced that they've done the best job they could, nor that we have the best people that we could. And I'm certainly not convinced that we have any oversight whatsoever. While I was not a firm believer in having the elections process in the Office of the Lt. Governor, at least then we knew where it was. There was access and there was oversight.

"The vote, I think last week, to approve the Elections Officer, again by strictly party line votes, indicates to me that we have very serious problems with this process, and that the people of this State cannot rest assured that their voting process is in the best possible hands. So I cast a 'no' vote.

"Thank you."

Senator Iwase rose in support of the measure with reservations:

"Mr. President, I'm rising to speak in support of the bill with reservations.

"Mr. President, the bill would create or expand the present panel from an appointment panel to an appointment and review panel to oversee elections, in general, and the conduct of the Chief Elections Officer. The issue is really one of accountability and credibility in the conduct of the elections. And as I have earlier stated, I do believe that we should consider restoring the election responsibility with the Office of the Lt. Governor. I believe an elected official is much more sensitive and responsive to public concerns, much more sensitive and responsive to the concept that you do not conduct bad elections, and that you have to restore or retain people's faith and confidence in the election process.

"I understand there's a resolution before this body that would undertake this review about restoring it to the Lt. Governor's Office. I hope that passes. I do not think, however, that elevating a committee to oversight is the way to go. There's an old adage that 'a camel is a horse designed by a committee,' and I don't think elections are camels and I think it's very important. And I think we ought to have accountability with one individual.

"Thank you."

Senators Hanabusa and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1524 was adopted and H.B. No. 1471, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1525 (H.B. No. 1145, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1525 be adopted and H.B. No. 1145, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose in support of the measure with reservations as follows:

"Mr. President, I stand in support of this measure with reservations.

"Mr. President, as we found out during the committee hearing on this bill, there is no emergency. The monies to become due for emergency medical services will become due, if any, after this current fiscal year. If there is going to be an appropriation to handle the additional sums for collective bargaining raises, that will be made effective the next fiscal year, fiscal year 2000.

"So, this bill is really not needed. And I think that by going through this kind of exercise, I think we're fooling ourselves. But I stand in support because an appropriation needs to be made. I believe, in conference, that kind of defect can be taken care of.

"Thank you."

Senator Hanabusa requested a conflict ruling as follows:

"Mr. President, I request a conflict ruling from the Chair."

The Chair responded:

"Please state your potential conflict."

Senator Hanabusa continued:

"I represent the Maui Paramedics Association which would be the employees who may receive a pay raise."

The Chair ruled that Senator Hanabusa was not in conflict.

Senators Slom, M. Ige and Buen requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1525 was adopted and H.B. No. 1145, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 71, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 71, H.D. 2, 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, 25. Noes, none.

H.B. No. 1497, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1531 (H.B. No. 1409, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1531 was adopted and H.B. No. 1409, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1534 (H.B. No. 139, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1534 be adopted and H.B. No. 139, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose in support of the measure as follows:

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

"Mr. President, first, I would like to apologize to my colleagues and you for making you vote on three similar bills today. (Laughter.) But I also would like to say that all of these bills have a different mission addressing three different concerns with one bottom line of keeping profits and wages generated in Hawaii remain in Hawaii to enhance our economy.

"Mr. President, with the passage of these bills, I guarantee you and the people of Hawaii that (1) state revenues will go up; (2) our unemployment rate will go down, especially in the construction industry; (3) people's confidence will go up; and (4) we will be in a better position to take care of all the social services and educational concerns. It would be like the 80's and early 90's again.

"I remember not too long ago, there was a time when, per capita, Hawaii had the highest husband and wife working families, and small businesses and restaurants were flourishing throughout our communities. Mr. President, these bills will bring us back to those flourishing times.

"Specifically, H.B. No. 139, H.D. 1, S.D. 1, addresses federal and military contracts by providing the definition of 'state resident' which is extremely important because the current Public Law 8078, since 1987 states that when Alaska and Hawaii's unemployment rate goes higher than the national average, which Hawaii's unemployment rate has been since 1994, defense and other federal jobs would go to the 'state resident.'

"Unfortunately, Mr. President, like our Senior Senator Inouye indicated in 1998, this law was never implemented the way it was intended to because Hawaii's labor laws did not clearly define 'state resident.' With this lack of definition, all the military agencies -- Army, Navy, Air Force and Marines -- used their own definitions and thereby the discrepancy of percentage of work was given to state residents by these agencies.

"This lack of definition opened the door for mainland based contractors with their other state employees to take jobs that rightfully should have gone to truly state residents as defined in this bill. When this bill is passed, we will ask the military agencies to honor our definition of 'state resident.'

"Mr. President, this bill also provides the definition of what constitutes a state contractor and subcontractor. This bill provides state subcontractors with a GET exemption upon receiving a military and federal subcontract.

"We further provided enabling legislation whereby the Governor, our congressional delegation, and component Commanders in Hawaii, upon assessment among all parties,

agree to implement project labor agreements (PLAs) with federal or military construction projects in the best interest of the military and the U.S. government. Project labor agreements provide on-time, on-budget project accountability, quality work force, and quality work. Project labor agreements have been used successfully on Hoover Dam, Disney World, Boston Harbor, and many more projects across the country. One suggested project for PLAs in Hawaii would be the Ford Island development or parts thereof.

"Mr. President, President Clinton through a memorandum suggested the use of project labor agreements by the military and all other federal agencies:

"Mr. President, not only do we need the Senate's resounding vote of confidence, but we need each Senator, who believes like we do, to talk to our colleagues in the House and see if we can pass this bill to help our economy.

"All we need to do is use what's coming to Hawaii in the next few years, about \$350 to \$400 million of construction dollars per year. We just need to change a few policies and do what is necessary to get Hawaii's state contractors a share of the military and other federal construction contracts. We cannot stand and do nothing and be status quo, like we have in the past 4-5 years, losing 12,000 jobs and seeing our construction industry take a nose-dive after receiving \$3.8 billion with \$2.2 billion in construction renovation and building housing and barracks.

"As my fellow colleagues here have said and some of you have expressed, we cannot be labeled a do-nothing Legislature. Well, my friends, by passing these bills we will be doing something in positioning ourselves to better utilize the millions of dollars coming to Hawaii in military and other federal construction jobs. I urge all my colleagues to vote 'aye' and send a strong message to our military counterparts and our Mainland contractors. We are going to fight for our fair share of the military and other federal construction projects here in Hawaii to help our people.

"Thank you."

Senator Slom rose in opposition to the measure as follows:

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

"First of all, I do accept the apology offered from my colleague from God's country. And this is the first of his trilogy of bills. I think, however, that there's more demand for the Star Wars trilogy than the Kawamoto trilogy. (Laughter.)

"In any event, I think the good Senator with all his good intentions is trying to ride a dead horse and dead horses are hard to ride. Even if you change the jockey or you change the saddle, a dead horse is still a dead horse. If you give the dead horse artificial insemination or any kind of CPR, you still have a dead horse. (More laughter.) What we have here, Mr. President, is a dead horse.

"The bottom line is that this and the other bills that will follow calls for unionization, project labor agreements. That is what the bottom line is. The bottom line is not improving the economy. The bottom line is not doing what people are asking for. What they're asking for, they're not standing in line demanding to be part of PLA. They're demanding tax reduction. They're demanding regulatory reform. They're demanding that we do things positively. They're not demanding that we take away their choices because right now they have choices.

"Now, I know that my good colleague Senator has wax poetic about the 80's and I share his poetry because, of course, that was the time of Reagan and Bush and a much gentler, kinder era of trickle down economics, so I can understand why he'd want to go there. I don't understand why he wants to go to

the early 90's, the time of the Japanese bubble bursting and so forth and the rise of the Clintonians.

"But be that as it may, we are approaching the new millennium and the new millennium says that we have to be competitive, and we have to do things that the people that risked their time and effort and labor want us to do. And what they've told us to do is get our labor laws in line with the rest of the country, get our tax laws, get our regulations in line, and do these things and provide choices for people that want to work. They want to work; they want to stay in Hawaii. But we are taxing them to death and we're regulating them to death, and unfortunately, the bottom line on this bill is more regulations.

"So, do we want to have a do-nothing Legislature? Of course not. But there's only one thing worse than do nothing, and that is to do the wrong thing and do harm. And unfortunately, this bill, on balance, will do more harm than good.

"And I'll be very happy to help the good Senator with many things to bring jobs and economic opportunity, but dead horses should be buried.

"Thank you, Mr. President."

Senator Chun rose to speak in support of the measure and said:

"Mr. President, I stand in favor of this bill.

"Mr. President, I have not been an ardent supporter of project labor agreements. As some of you know, I voted against it the last time. However, on viewing this bill and going to committee hearings and finding out exactly what the details are, and talking with some of the people involved in project labor agreements, including the unions, I've come to know that there is a problem out there. In my discussions this morning, the problem is that there are out-of-state contractors bringing in workers from out of the state. These out-of-state contractors don't pay GET on their wages. They perform work that's out of their classification. They also avoid the prevailing wage laws from Hawaii because they bring them in from out of state and they're very difficult to track down. And these are some of the reasons why some of the proponents of the PLA believe that this bill is needed. I feel that those are problems. I haven't heard any discussions to show that those are not the problems.

"I support this bill not because it will solve those problems, but at least it will put to rest whether or not this methodology can be used to take care of those concerns. But what really disturbs me most is that even though these problems are out there, we're going to have to engage in all these machinations to find out ways to solve the problem when the simple way to solving the problem is to have the department whose job it is to oversee GET collections, to have departments to oversee whether or not people are performing out of their classifications, to have the departments to oversee whether or not people are actually paying prevailing wages to do their jobs.

"Oftentimes we're accused of a do-nothing Legislature, but I think the heart of the problem is that sometimes there is a do-nothing department, that they're busy doing other things rather than what they're supposed to be doing.

"And I've asked this question straight out to some of the people who came to talk to me this morning. I said, 'Well, I know these are problems. What's being done? Because everything you mention right now is against the law right now. What's happening? Why aren't we doing our job?' And they can't answer that question. And because they can't answer that question, bills like this keep on surfacing. We keep on adopting bills to protect the departments from having to do their jobs. And that's one basic reason why I oppose in general these project labor games because we're trying to solve the problems of the department. We're trying to protect them from not

having to do their jobs. I think the easiest way to do that, rather than think of bills like this and to have the Honorable Senator from Waipahu think of four different ways to get it done, is to force the departments to do their jobs.

"But going on to this specific bill, Mr. President, I'm supporting it because in the committee this bill was represented to me as reflected in the committee report that this bill specifically is only intended to address situations where there is a 100 percent federal project, a 100 percent federally funded on federal property. And this is the only situation in which this bill is intended to cover. It doesn't intend to cover any situation where there is a joint federal and state sharing of funding between general funds and federal funds. It's not intended to take situations where there are federal funds used on state property. This bill, according to the committee report and as discussed in the committee, is only intended to affect projects which are 100 percent federally funded and 100 percent on federal property.

"Now, I bring that out because also in the committee I've noticed that if that's the situation, if that's the intent of the bill, that there are some inconsistencies within the bill because if it is 100 percent federally funded on 100 percent federal property, then there are provisions in this bill, specifically in Part 3 of the bill, which covers project labor agreements that make reference to state law. As we all know, Mr. President, state law does not govern federal contracts; does not govern federal property; does not govern federal funds. And so I noted it in the committee that if this bill goes forward, those kinds of language changes need to be made. And it was assured to me by the Honorable Senator from Waipahu and the WAM Committee members that those changes or those considerations will be made in conference if it goes down there as far as the Senate is concerned.

"Mr. President, knowing the limitations of this bill, I think it is worthy of at least a study to see whether or not something like this on a 100 percent federally funded project on 100 percent federal property, where I believe from the Honorable Senator from Waipahu that most of the abuses are occurring, that a project labor agreement can at least ease the burden of our state departments and try to find out whether or not they can do their jobs better. But I believe with all of our posturing, with all of our discussions, with all of our debates, I think we should go on with the business of making our departments do their jobs better, rather than eating up our valuable time and resources to talk about bills like this on experimental. Rather than experimenting, we should actually work on doing what we do best and that is having the laws that we have on the books now, enforced.

"Thank you, Mr. President."

Senator Sakamoto rose in opposition to the measure and said:

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

"I'm opposed to the project labor agreement part. I'm supportive of the 'state resident' definition, the exemption of GET on federal contracts. I think those parts will do a lot. Certainly, I'm not going to promise you, like the Senator from Waipahu has promised, but certainly, making local contractors -- union or not -- more competitive and using the provisions of a resident to deal with jobs, we really ought to be dealing with the jobs of our local residents. And there are local residents in our workforce, both working for signatory and not. We don't have a Hoover Dam; we don't have a Boston Harbor. If the bill purports to deal with federal contracts, as our Senator from Kauai has said, on federal lands, I think this really isn't a dead horse; it's an invisible horse, if that's the case. But since we're debating it, project labor agreements do not guarantee workers will be local residents. There are signatory members all over this country, signatory to the various unions.

"It doesn't guarantee anything. I want jobs for local residents, and if local residents do work, we don't want those who are not signatory to have to pay in benefits to trust funds for pensions, for health funds, etc., and these funds be swept into trust funds and the worker moves on to another job and he loses these benefits -- he, his family. That's not what we are about. So these bills discriminate against workers in our State who are not represented by a labor union, and don't want their funds deposited in union trust funds. Especially if they don't work there and become vested from the union standpoint, they would want these workers to stay in the union. But we're not here as a legislature to help unions sign up workers, Mr. President. That's their job and they can do that. We aren't here and we shouldn't be here to enforce that.

"And let's not increase the cost to the taxpayers of our State. The current procurement system is fair; is adequate; is working. Most of the jobs are not going to Mainland contractors at this point in time, Mr. President. We want the jobs for our local workers, though."

Senator Chumbley rose to speak against the measure as follows:

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

"First, I do also want to accept the apology of our good Senator from Waipahu, and I hope he understands my apology when I vote 'no' all three times on PLAs. I do want to commend him for his persistence; I applaud that.

"I do want to believe that we can do something, but I just don't believe that this bill is going to achieve what it sets forth to do.

"It's unfortunate that I have to vote 'no' on a bill that does have a good component of it, and that's the exemption to the general excise tax for these contractors. I think that's a good provision of the bill. However, the definition of 'state resident,' although it's improved and it's no longer as onerous as it was in the past, one of my constituents, Steve Goodfellow, who owns Goodfellow Construction in Kihei called this morning and expressed concern about the definition of a 'domestic corporation' on page 5.

"Goodfellow Brothers is a company that has been in operation for 75 years. They've been headquartered in Hawaii for the last 25 years. I believe that they are incorporated and registered to do business in the State of Washington. But they've been here for 25 years. They've been providing jobs for hundreds of people throughout our State, and they're going to be affected by this bill, not only as a corporation, but also by the onerous requirement that if one or more of the employees, 100 percent of its employees have to be a state resident as defined by 'state resident.' And although this attempts to address the concerns where we have contractors who are receiving federal awards who come from out-of-state and bring out-of-state residents, I don't believe that this, as written, is going to be in the best interest of our state residents. It will have unintended consequences.

"Mr. President, Part III of the bill, I think, is the most egregious part. This is the part that again attempts to put into session laws -- not into statute -- the PLA provisions. Part III, page 7 through Part IV, page 11, articulates what the President had ordered through a presidential memo, and that's not you, Mr. President, it's President Clinton. In June of 1997, President Clinton issued a memorandum directing all federal agencies to issue procedures for the consideration of union only PLAs on federal construction projects. The memorandum was issued only after the President withdrew a draft executive order imposing more stringent union only requirements in the face of strong congressional opposition.

"Mr. President, there have been no studies demonstrating any need for union only PLAs for federal projects. There have been

no cost studies showing any savings likely to result from these PLAs. There have been no significant reported labor disruptions preventing or delaying federal projects in Hawaii. Construction workers on federal projects are already protected as to their wages and benefits by the Davis-Bacon Act and numerous other federal laws and regulations. Thus, this presidential memorandum and the agency procedures resulting therefrom, departs from the congressional mandated policy in favor of open competition expressed in the Competition and Contracting Act and the related provisions of the FAR with no justification whatsoever. This unwarranted federal initiative will certainly be challenged in court on its full implementation.

"Mr. President and colleagues, I again applaud the Senator from Waipahu for his efforts, but I just don't believe that this bill will end up providing for our State the intentions, and I urge all of you to vote 'no.'"

Senator Inouye rose to speak against the measure and stated:

"Mr. President, I wish to speak in opposition to this bill.

"I concur with the comments made by my colleagues from Moanalua and Salt Lake, and East Maui and North Kauai, and I apologize to my classmate and a hardworking Senator who has done much in the three bills, but I do want to register my comments with regard to the parts from my colleague from East Maui and North Kauai and I wish to register their comments as if they were my own into the Journal, Mr. President."

The Chair so ordered.

Senator Taniguchi then said:

"Mr. President, would you note my reservations on this bill, for the record. Thank you."

The Chair so ordered.

Senator Anderson rose in opposition and said:

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

"I'd like to make reference to all of those concerns that all of the Senators made, including the good Senator from Hawaii Kai, and I do applaud the Senator from Waipahu. But for the Majority Floor Leader's words where it's only on federal projects, it states here in Section 6 that to award these it would be the State procurement officer who would be given the authorization to do this. It's not just a full federal concern. And I did talk to the procurement officer, and he said the way the bills are written, he would have to follow the procurement laws; and yes, in fact it's exactly what Senator Sakamoto had said that it would take care of benefits that would probably already be on board that some of the contractors had. They would go into a project labor contract.

"For those concerns I am going 'no.' I normally have reservations and hope that we'll fix something up. We never fix anything, really. So I'm just going to vote 'no' this time and I apologize to my good friend because I know that he has been trying very, very hard to help our local people get jobs, especially in the construction industry. But everything that I've read and input that he would have gladly given me, we would have to re-write the whole bill. So, for those reasons I will be going 'no' Mr. President."

Senator D. Ige then said:

"Mr. President, I'd just like to note my reservations, please. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1534 was adopted and H.B. No. 139, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Buen, Chumbley, Inouye, Matsunaga, Matsuura, Sakamoto, Slom, Tanaka).

Stand. Com. Rep. No. 1535 (H.B. No. 1038, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1535 be adopted and H.B. No. 1038, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"While I certainly support the idea of funding the collective bargaining agreements already made and negotiated, I take umbrage with the fact that we're also going to continue to include other executives, other officers, other people in government to give them a free ride, as well. I think we should honor our commitments with the negotiated contracts, but I don't think we should use this or any other measure to add on additional people to raise our cost.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1535 was adopted and H.B. No. 1038, H.D. 1, S.D. 2, 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.

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

The Senate reconvened at 1:11 o'clock p.m.

H.B. No. 990, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 990, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator M. Ige requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 990, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 411, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 411, H.D. 1, 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, none. Excused, 1 (Buen).

H.B. No. 150, H.D. 2, S.D. 1:

Senator D. Ige moved that H.B. No. 150, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator D. Ige rose in support of the measure and stated:

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

"Mr. President, H.B. No. 150, S.D. 1, raises the bar on our public conversation about governance of the public school system. House bill 150 proposes to align the authority, resources and responsibility over our public school system with the Board of Education.

"Mr. President, the current system is clearly broken with no clear lines of accountability. House bill 150 proposes a constitutional amendment that would make the Board of Education a political subdivision unto themselves with no police power, but full control and authority over the personal income tax and the authority to raise the retail sales tax on tangible personal property, up to a maximum of one penny per dollar or one percent. The current personal income tax approximates the total amount of general funds that we currently spend for operations and debt service on the public school system.

"Additionally, we've added amendments to insure fiscal restraint of this new public subdivision. We've added an expenditure ceiling to insure that the rate of growth of the operating funds do not exceed the current CPI index. In addition, we've extended the bond ceiling to insure that this organization does not over-leverage itself.

"Clearly, Mr. President, our previous discussions of governance have really been superficial, focussing just on an appointed or elected Board. This measure before us aligns authority, resources and responsibilities to insure that the elected Board of Education is clearly accountable for the public school system. I truly believe that this is a beginning of a public conversation on governance. It really does give us the best opportunity, I believe, to insure that those who govern the public schools are truly accountable.

"I urge all of my colleagues to vote in support. Thank you."

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to the bill.

"We can talk about accountability. We can talk about governance. We can talk about educational improvement. But what we're talking about in this bill is a tax increase pure and simple. It also is a bill that would strip away even more protections from the resident citizen taxpayers of this State.

"The idea that we would authorize the wholesale transfer of our personal income tax, now stated at \$1.1 billion, to the Department of Education, thus denies the State Legislature the ability to try to utilize the income tax program for such things as incentives for new and existing industries, for economic development and economic policy. What we're doing is transferring that to the Department of Education/Board of Education.

"There's several problems with that, not the least of which are the reports that have been done by the Legislative Auditor criticizing the policies and lack of fiscal responsibility and fiscal restraint of the Department of Education. If they can't handle their finances now, what are they going to do when they have a tremendous increase and a largess from more tax monies -- the \$1.1 billion plus.

"More troubling, Mr. President, however, is the ability to give them the taxing power to institute yet another tax, a sales tax. You know, people talk about getting the message from last year's election. Apparently, nobody's gotten the message, at

least in the legislative body. Our constituents, the public out there, think we're fools. Here we are, the highest taxed state in the nation; here we are, losing people every day, and what are we doing? We're debating increasing taxes and giving new taxing authority to the Department of Education/Board of Education.

"Now, if my esteemed colleague thinks that just because we limit that to 1 percent that that's where the tax will stay, my colleague is respectfully mistaken. Any time we talk about limiting taxes and giving it to a tax authority, we know that the taxes go one direction and that direction is up. In addition to that, if the tax goes up or even at 1 percent -- and we're talking about several hundred million dollars -- we're talking about this in addition to the general excise tax, in addition to the corporate income tax, in addition to real property tax.

"There was an attempt to draw a comparison between this bill and what happens in the Mainland. But we can't make a comparison between here and the Mainland for one very simple reason and that is that we are the only state in the Union that has a single district, state-wide school district; the only state in the Union where education is not a local function but it is a state function.

"Now, I know that years ago we talked about making our educational system second to none, and more than the people in Kosovo, I worry about the people in 'none' because if we're second to none, we're in big trouble. We haven't improved education and there's no indication that more money and lack of fiscal oversight is going to improve that education further.

"I recommend to my colleagues the report done by ALEC, the American Legislative Exchange Council, in January of this year that everyone received, and that report said very clearly there is no, no direct correlation between the amount of money spent on education and the quality of education. We have standards, but we don't enforce them. We have a bar, but we are operating below the bar. We don't reward excellence; we reward mediocrity. We try to pass people along. We try to allow them to get by and we make excuses.

"So, giving additional tax powers and government authority and more bureaucracy to the Board of Education and the Department of Education, I don't think is going to solve our problems. And the Superintendent of Education, Dr. LeMahieu, was very hard pressed in our last public hearing to tell us exactly how there was going to be improvement made in education. He couldn't do it. He was just very glad, as are a number of other agencies and institutions, that they would have more money. But more money doesn't make it better, Mr. President.

"Also, if the State loses the \$1.1 billion in personal income, then one of two things is likely to happen -- either the corporate income tax, which we keep talking about that we're going to reduce or eliminate to stimulate business, would be increased, or the general excise would be increased; or the State would look for yet another source of revenue, because we aren't looking for ways of cutting expenditures. We're always looking for that magic revenue enhancement.

"So I think that we have a real problem here, and the problem is not one of lack of money. It is one of lack of leadership and responsibility. Creating a political subdivision which is separate unto itself, I don't think is going to help us, because that would now give us five branches of government -- the three traditional branches of government, OHA, and a new political subdivision called the BOE/DOE.

"What we really need, Mr. President, is decentralization. We need more input by parents, by teachers and by the students. And this bill, in addition to sapping everyone of additional financial resources, is going to make it even separate, more separate, the idea of supporting the educational system and having a say in it.

"We are unlike any other state also in that we are the only state in the Union that has neither statewide initiative, referendum or recall. In the other states where education is a local mandate, the taxpayers in a particular county, or city, or school district, or municipality have to vote on whether or not they have the wherewithal to afford the tax increase or the bond issue, and that gives them a direct input into the governance and the quality of education.

"I can't see by this bill, Mr. President, that we've done anything other than to allow our taxes to increase, our spending to increase, our debt to increase, and this to me represents an abdication of the Legislature's responsibility if we want to continue to have statewide education.

"Thank you."

Senator Iwase rose in opposition to the measure and said:

"Mr. President, I'm rising to speak in opposition to the bill.

"First of all, Mr. President, I want to thank you for putting forth a bill that would focus our attention again on the importance of education and the need for, at times, maybe radical reforms. However, I would like to echo the comments of the previous speaker, the Senator from Hawaii Kai, with respect to taxes.

"I'm opposing this bill because it does create a new taxing authority; it creates a new tax; and thirdly (and I think it's important to understand and remember what was told to us at the hearing), the GET tax and the income tax, the revenues generated by those two taxes represent 80 percent of the monies that go into the general fund -- 80 percent of the monies. And with that money, we take care of all of the education and other programs in the State of Hawaii, and what we'd be doing is sending away the income tax.

"And as it was also told to us at the hearing, when we are imposing an income tax or taxes on the people of this State, we are responsible to take into account a broad category of issues, because this is not just something that should be focussed on just education. It's an impact on small business, it's an impact on jobs, it's an impact on Hawaii's business image and the kind of revenues we do need to take care of all the other programs that we have to fund -- welfare, the University of Hawaii. And so therefore, because of the need to consider a broad range of issues, as well as the implications of a taxing authority, taxing powers should remain with the Legislature and not with an agency that would raise taxes for one purpose only, which would be the Board of Education.

"I also pointed out at the hearing, Mr. President, that this bill, because it was raised at this late date, would obviously not pass this session. And I welcome the debate, as the Education chair mentioned, the debate and discussion that will occur on this bill, but I believe that we should not limit ourselves to a bill so controversial in the taxing aspect that we are going to lose the discussion about the kinds of reforms that should be undertaken by the Department of Education, the Board of Education, the Governor, and the Legislature, and that we should therefore include into this bill other options that were proposed in the past.

"I mentioned specifically at the hearing this study done by the 1992 Task Force on Educational Governance. We authorized this task force. We created this task force by Act 332 in 1991. We told this task force of 15 members, you go out and conduct hearings and you study the problems, the broad range of problems, and you come back and report to us. And they did do so in 1992. And that task force was composed of a number of people throughout a broad and diverse cross section of this community -- seven months of study, studies and hearings throughout this State, public hearings in communities

throughout this State -- and they came forward with this proposal.

"I'm glad that the Chair of the Education Committee cited this report in the committee report saying that these things should be considered, but I would hope and what I had asked and what I hope still can happen is that the proposals set forth by the task force would be included in this bill to be discussed and to be looked at and to be reviewed and debated, because they include reforms that are needed. They touched upon selection of the school staff. They touched upon the structure of the Board of Education, and they touched upon dedicating a percent of the funds from the general funds to education. That is accountability. That is resource. That is responsibility. And that was something that was recommended to us by a body that we created in 1991, presented us with a study, and unfortunately this study sat on the shelf. We have implemented some of it. We need to implement more of it.

"And I would hope, Mr. President, with all due respect to the proposal that is contained in this bill, that we not limit ourselves to just this proposal, because if we do, we are going to lose the debate on education. We are going to lose it to the debate over taxes.

"Thank you."

Senator Tam rose to support the bill and said:

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

"Mr. President, I stand in favor of this bill. This bill is a positive, stimulating bill that needs to move along this legislative session. The details of this bill will become clear as all of the educational partners -- the educators, the Board of Education, the Governor, parents and Legislators -- work together on this bill. In fact, in my discussion with the Board of Education at the April 1, 1999, Board of Education meeting, the Board members generally favored the proposed legislation.

"I think it's too premature to fully criticize this bill. We need to bring the partners in to work on this proposal. This bill embraces the responsibilities of the elected Board of Education to that of Hawaii's voters.

"Thank you."

Senator Chun rose in support of the measure with reservations and said:

"Mr. President, I stand in favor of the bill with reservations.

"Mr. President, everybody agrees that the system is broke. We know that. They know that. The House knows that. The public knows that. The question is not whether it's broke. The question is what we're going to do to fix it and when we're going to fix it.

"The fix, Mr. President, is not money. The fix is not saying the more money we put into it the better the system is going to be. We've learned our lessons from that vicious cycle. The fix really is accountability, and I think everybody agrees with that. We need to bring accountability back into the schools. We don't bring accountability by putting more people in charge of the system. We bring accountability to the system when we limit the number of people in charge so that they know that the buck stops there.

"Also, Mr. President, this bill talks about the taxing authority and bringing the income tax here where testimony is submitted that really thinks that, that would not be a good idea to bring the income tax into the mix of how to bring accountability back into the schools.

"Unfortunately, Mr. President, this is the only bill there is. There is no other bill that talks about education and how to

improve it. There is no other mechanism or vehicle that we can use to continue discussion.

"If there's anything we've learned in the past, it is that silence really doesn't do anybody a favor. Ignoring problems does not make it go away, and putting something off to another year will not make it better. We need to open the dialogue to have a fix. We need to get people involved in these discussions. We need to get people to take notice that we as public leaders are willing to do something and put our ideas out and have them discussed and have them changed and be willing to say, 'Hey, I might not have the best answer but if you have a better one, come forward and talk about it.'

"We as public officials can't afford to be quiet. We have to get people involved. And by being quiet, we don't do that. By being quiet, we discourage involvement. By being quiet, we discourage people from looking at new ideas.

"And if I were to vote against this bill I think that would be just another sign that we're just going to take it safe and not do anything. And that's the last thing that I personally want to do, Mr. President. So I will be supporting this bill not because it is a perfect bill, not because I'm going to say that we thought about everything, but because this is the only vehicle that we have to continue this discussion to bring to the forefront the problems that we have with our school system. And Mr. President, I will support this bill because it will ensure that people will be heard and that we will not be quiet and that we will want to go forward.

"Thank you, Mr. President."

Senator Anderson rose in opposition to the measure and said:

"Mr. President, I voted twice against this bill and I'll vote against it again.

"I think what it is, is our inability to correct the out-of-control Department of Education by giving them taxing powers. And I'd like to read from the Committee chairmen themselves where it says, 'Your Committees find that after years of attempting to make the department of education fully responsible through lump sum budgeting, school-by-school budgeting, and school and community based management, it is necessary to take the last step toward autonomy by making the department of education a political subdivision with its own taxing powers.' All we're doing is circumventing the very laws that we have that give us a responsibility.

"I just heard the Majority Floor Leader say that we need to look at this and we need dialogue; we need reform. And I agree. We need good reform. We should have taken these measures long ago to reform the Department of Education -- not by taxing powers -- by making sure that the programs were good programs. Look who supports this bill, Mr. President -- 'University of Hawaii Professional Assembly, Hawaii State Teachers Association, Hawaii Government Employees Association Retirees Unit, Superintendent of Education, State Librarian, and three individuals.' The opposition was by State Representatives, Hawaii Congress of Parents, Teachers and Students. Those are the ones that realize that would just be giving the Board of Education the right to tax.

"And it's an emotional deal. We all have children and we want to make sure that they get the best education, but not by circumventing your responsibility and mine, but by making sure that our tax dollars are spent properly and that the teachers are going to be able to say we've got a ratio of 21 to 1 or whatever, not that we have students that we can't even count and the budget is not reflected to those other four or five. They have all kinds of problems in the Department of Education. And I haven't heard one Board of Education person. As I said earlier, they don't even come to your office anyway -- at least not to mine.

"I've spent years, two or three years as a voluntary person. I said to my chairman, if you want me, I'll go with your committee, so I volunteered for that committee. Most people didn't want it, and the reason being because not very many people go to your fund raiser if you're on that particular committee. But I thought it was important. We ran 5,000 books short on the Windward District and then Representative Charles Toguchi and I fought like hell to make sure that they got the books that they needed.

"So the problems aren't new. Your responsibilities aren't new. But reform is needed -- not taxing powers. That's why I'm going 'no,' Mr. President.

"Thank you very much."

Senator Sakamoto rose in support of the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"The purpose of the bill is to amend the Constitution to provide clear accountability for the public schools and the Board of Education. Mr. President, I'm in favor of measures that benefit education, improve accountability, and certainly I believe as the Senator from South Kauai that the issue really is accountability. And I think once we deal with that, then we can look at funding mechanisms that will make sense.

"Thank you."

Senator Kanno rose in support of the measure as follows:

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

"Mr. President, this bill provides the authority and oversight of our public schools by a single entity, and with that comes the accountability that is badly needed by our school system. When it comes to our schools, maintaining the status quo is unacceptable. If this bill is passed by the Legislature, it will be the voters of the State of Hawaii that will ultimately decide this issue through a vote in the November 2000 election.

"I urge my colleagues to support this measure. Thank you."

Senator Anderson then rose and said:

"May I have a slight rebuttal?"

"If I remember correctly, if they decide to ignore that particular measure when they go to vote, it will be counted as an 'aye.' When you say that taxpayers have a chance, why don't you really give them a chance. Why don't we change the Constitution that says the Superintendent will be appointed. That's reform. That's changing. Get rid of the Department of Education. We've been fighting with them for years. Decentralize them and that gives you folks a chance to vote for that individual. That's reform. That's looking at it positively.

"You know, you can't go ahead and say the voters are going to do this when, in fact, you change it so that their vote doesn't count if they don't want to vote on that particular measure. I've told you before, when people have not fully understood something, they'll say I'm going to leave this blank and let somebody else take care of it. But now it's counted as an 'aye.' That's ridiculous. They didn't vote for it because they didn't want it. They didn't know what to do with it in many cases. But you're going to say the voters are really given a chance when in fact even if they leave a vote blank because they are sick of us and they don't even want to get involved, it's going to be counted.

"Thank you very much, Mr. President."

Senator Matsuura rose and said:

"With reservations, please."

The Chair so ordered.

Senator Taniguchi rose to speak on the measure with reservations:

"Mr. President, I rise to speak with reservations on this bill.

"Mr. President, I am speaking because nobody has really expressed some of the reservations that I have about the bill. Initially, what I want to say is that I was first elected in 1980 and served my first session in 1981. My daughter was born in 1982, and she's been going to public schools since about 1986, 1987. She's gone to Noelani Elementary, to Stevenson, and now she's a junior at Roosevelt. I think to that extent, I've seen some of the process. I visit all the schools in my district. I try to do it at least once every year.

"Part of the problem that I see is that there is a lack of resources, and I think that in some ways this bill does try to address that. It tries to take a look at the kinds of resources that are available. With regard to governance, I'm not clear that the governance proposed will necessarily be better. I think it would be different, but I haven't been guaranteed that it's going to be better. And being a parent with two children in the public school system (my son is a 7th grader at Stevenson right now), I know we've got to try to deal with that, but a lot of us are dealing with it only on a very philosophical level. And I think for the parents and some of us whose kids do go to public schools, for us it's a matter of resources -- pure and simple. That's why I think there may be other ways of dealing with this. I would hope that we'll look at dealing with this in a more up-front way.

"I urge my colleagues to support this bill, because I think we need further discussion on it. Thank you."

Senator Nakata rose with reservations and said:

"Mr. President, I just want to have the comments of the Senator from Manoa registered as my own, and I'll be voting with reservations.

"Thank you."

The Chair so ordered.

Senator Buen then rose and said:

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

The Chair so ordered.

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

Senator Bunda also rose with reservations and said:

"Mr. President, I rise to speak with some reservations on the measure.

"Mr. President, you first announced in your press release that we can no longer conduct business as usual when the future of our children is at stake. Mr. President, I believe this bill is business as usual. As usual, we don't have sufficient time to explore the ramifications of the proposal. As usual, we need critical information to make informed decisions. As usual, we are diverting our attention away from the real issues of educational governance and not just whether it's an appointed board or an elected board.

"Mr. President, while I feel that this particular measure deserves to stay alive and is a step in the right direction, I believe that the timetable is unrealistic on this particular measure. With the economy the way it is, we need to tackle all

of those hard funding decisions, demonstrating by our bold actions, our commitment to quality education.

"More importantly, Mr. President, I don't think we should be punting by creating another tax authority that shifts responsibility away from us. I think we should do the things that the people elected us to do and that is to legislate and not delegate.

"Thank you, Mr. President."

Senator Slom rose in opposition to the measure and said:

"Mr. President, additional comments in opposition.

"Well, I've heard my colleagues say that they want to keep this measure alive because it's the only measure there is. And one colleague said that we're going to have a great revelation in conference committee -- we don't know what that is, but it will be a revelation.

"The problem is we're asked to vote on things as they are and as we see them, whether they have blank dollar amounts or whether they say certain things or they don't say them. And what this bill says, what it screams is, we're going to raise your taxes some more! We're going to hurt you some more! We're going to destroy the business climate some more! That's what it says.

"My colleague the Majority Floor Leader wants us to speak up. He wants us to be heard. I hope we're being heard. We're going to raise your taxes! That's what this bill says now. And to the question, we don't have anything else? We have passed several good bills. Now, what happens to those good bills, we don't know, because that will be revealed to us also in the murky depths of the conference committees. Suppose all of those good bills fail and this is the only bill that passes this year. Would you like to look yourself in the mirror, to look at your kids (because my kids go to public schools also), to our friends and neighbors and say, 'Yes sir, I sure worked on education this year. I raised your taxes and your state debt some more.'

"And we're challenged, Mr. President, to think out of the box. Think out of the box? This is deep in the crevice of the box -- more taxes, more spending, more debt. You want to be out of the box? Abolish the DOE! You want to be out of the box? Get rid of the state-wide school district! You want to be out of the box? Let the parents and teachers and students run education in this community! That would be out of the box. But instead, no, we're going to leave it up to another branch of government. Actually, I'm kind of disappointed that we didn't leave the police powers there. I'd like to see the Superintendent with a badge and a gun walking around. But you know what? If we pass this, we'll give him a badge and a gun because they can forcibly take more of our resources.

"Our people can't afford this. And it has nothing to do with improving education. Why can't we get it? That's what education is all about -- to understand. And there is no relationship to more taxes, more pain and suffering and better quality education and accountability. So I would urge my colleagues, this is the bill right now -- this is what we have. I urge you to vote 'no.'

"Thank you."

Senator Iwase rose and stated:

"Mr. President, just also in rebuttal on two points that were raised.

"One, a statement was made about how we've engaged in a philosophical discussion on the educational issue. I don't know if that's necessarily true. Many of us here come from the public school system. Many of us have children in the public school

system. But it's really totally irrelevant whether or not you went to a public school or private school, whether you have children in the public school or not. Those of us who sit in this body care a whole lot about the education of our children. You don't have to have kids to care about the education of children. This issue is very, very important to all of us. It's not a philosophical discussion. It is a real discussion about the real problems about the Department of Education. It's been a problem since I've been in school. Resources have been a problem since I've been in school. And that's a half century ago, Mr. President. That's how long that we've either not accomplished what we wanted to accomplish or at least we've gotten along.

"Second, the comment that was made that this is a constitutional amendment, people have a right to vote. I totally agree. But there are proposals by the task force that requires a constitutional amendment. The 30 percent dedication to the general fund requires a constitutional amendment. Changing the Board of Education is a constitutional amendment. We are not allowing the people of this State, by virtue of this bill, to have access to that vote because we've closed it off. Right now, we've closed it off. And all we're offering the people of this State, as the Senator from Hawaii Kai said, is that we're going to increase your taxes; we're going to create a new tax; we're going to create a new taxing authority.

"Mr. President, accountability is one. That is needed and we failed on that and maybe that's why there's discussion on whether to have an appointed board or an appointed superintendent. That's accountability. How the policies are developed; who develops those policies; who executes on those policies -- that is accountability. Again, the debate on who should appoint the superintendent and whether the board should be elected or not. That's why that debate should occur. Because that is the problem with the education. That is not philosophical. That is real.

"Second, money -- the fiscal aspect. This bill deals with the fiscal aspect. We're going to let the DOE tax. Okay. Well that's covered by this report. That proposal should be reviewed. That's a constitutional amendment. Accountability and fiscal responsibility, and we proposed only one solution. That is not the only solution, and if we believe that is something that is the only thing that we should consider in helping the children of this State, I'm sorry, because you're wrong.

"Thank you."

Senator Kanno then rose and said:

"Mr. President, I rise to rebut the comments made by the Senator from Waimanalo.

"I believe the previous speaker, when speaking about how blank votes get counted on constitutional amendment questions, may be looking at this from another perspective. The question to the voters is, would you give the Board of Education taxing powers, yes or no. My understanding about his position is that he would be opposed to it. He has said that blank votes would hurt his effort because the impact of blank votes would mean that the people wouldn't have a vote at all.

"My understanding about the court ruling is that blank votes, in effect, are counted as 'no' votes. So in order for the Board of Education to receive this taxing power, it will require an extraordinary number of 'yes' votes. Blank votes are, in effect, counted as 'no' votes. In order for this constitutional amendment to pass, there will need to be a substantial amount of 'yes' votes, so the people will have to affirmatively decide on this issue whether they want the Board of Education to have these taxing powers and this authority.

"Thank you."

Senator Anderson then said:

"Mr. President, point of clarification, if I might, for the good Senator.

"I really don't care if it's counted as 'no' that's going to help me or not. It's how the bill is going to be put out there, how it's going to be worded. Normally we do it to be as confusing as possible. But my whole idea on this is not that you're giving them a fair shake. All we're saying is, Are you going to vote 'yes' or 'no' for this? Put it that way. It's not fair that you're not giving them the opportunity to say, Do you want a Board of Education? Do you want to have the Superintendent? You're not giving them any options, except one -- you want your taxes raised so you can take care of your kids.

"I'm not saying they have to go my way. I'm not saying it's going to be improper for me to try to push them into my thinking or that it's proper. I'm just saying that it's a terrible shame that we're circumventing our responsibility by even having this. I don't care who introduced it or why. You want reform, then do reform. There's many, many ways to have responsibility and this isn't one of them, my friends. And I'm not asking everybody that they have to go my way. But I've watched how we sit there and frame our words so that it's so confusing that people get disgusted because they're saying, I don't know; if I vote this way, I think I'm wrong; I may be right; so they just leave it blank. And that's not fair, even though it goes my way. It's not fair to them, sir.

"Thank you, Mr. President."

Senator M. Ige rose to speak on the measure and said:

"Mr. President, I wasn't intending to say anything but . . ."

The Chair interjected:

"Are you speaking for or against the measure?"

Senator M. Ige replied then continued:

"I'm standing to speak against the measure.

"Mr. President, I guess I'm a little bit touched by the Senator from Manoa, Senator Taniguchi, when he mentioned about his daughter being a junior at Roosevelt. You know, Mr. President, I think the question here is resources. And if this whole debate can bring more money to our schools in this budget, I think it's all worth it to have the passion and emotion. But when you go to the schools . . . you see in the newspaper and, you know, a certain Senator said someone's drinking out of a trough, our school is asking for electrical because they cannot have more computers. You know, just by transferring everything into this bill, by moving everything over, it sort of distracts the community from, Where does the buck stop? Who ultimately should be held accountable?

"You know, Mr. President, when we ran, when people bring up education and the quality of education and students passing HSTEC on the first try, we are held accountable. People ask us. To sit here, to listen to the debate, you sort of cringe under the pressure and say, maybe it is better to just shift everything over so we can kind of deflect what the community is saying about what we should be doing.

"But you know, Mr. President, people are saying about the school that it's broken. It cannot be fixed or it needs to be fixed today. Mr. President, let's fix it. Look at the budget. Have we sacrificed enough today to make sure that our kids can learn and meet the challenges of the new century? Look at the budget. And maybe I should save my comments for the budget. But look at it and tell me what we have done to help our kids be ready for the challenges that we're going to face tomorrow.

"So when I hear Senator Taniguchi from Manoa, and I know I'm not supposed to be using names (Senate Rules), but when I hear his voice about his daughter being a junior and I think about my daughter going through public schools, and then when I see Senator Nakata, as well as Taniguchi, introduce measures that they took a lot of heat on -- increasing the taxes just to get more resources to our schools -- these individuals had the courage to stand up and be counted.

"And I just hope -- I just hope -- that during conference we can look at this budget and set a clear direction, set clear goals on how we're going to address education, because, Mr. President, I do not believe that this bill before us will help us meet the challenges of the future. We have an opportunity to place the resources where it is absolutely necessary. We can do it now and I sincerely hope that we do so within the remaining weeks.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 150, H.D. 2, 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, 20. Noes, 5 (Anderson, M. Ige, Iwase, Slom, Tanaka).

Stand. Com. Rep. No. 1542 (H.B. No. 266, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1542 be adopted and H.B. No. 266, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in support of the measure with reservations:

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

"Mr. President, I've gone through an epiphany recently and I just have to tell you that I'm very happy my original objections to the bill were that the bill was going to force a lot of things in the workplace. But I'm very pleased that some of the amendments were made in committee and the chair from Alewa Heights, Kalihi, Liliha, Nuuanu, Palama, Puunui exposed me, Mr. President, to other arguments of breast-feeding, and so I've tried to keep an open mind and open heart.

"And so I'm going to support this bill with reservations and the reservations are these: that the original proponents were very clear in what they wanted. What they wanted was mandatory time off with pay, mandatory set-aside space in an office of every employer regardless of size or number of employees, mandatory set-aside refrigeration and/or other equipment. As I said, it's not in this bill now and I know that my colleagues will not support that in the future.

"So therefore, Mr. President, with the gracious help of the Health and Human Services chairwoman, I'm very happy to support this bill with reservations. Got milk, Mr. President?" (Laughter.)

Senator Anderson also rose in support of the measure as follows:

"I'll vote for the bill, but for those in the chamber that don't have the bill before them, the title is 'Relating to New Mothers Breastfeeding Promotion and Protection Act,' and I think that's why the good Senator was so concerned in the beginning of the way it was written. But he's been enlightened and as he said, it's an open subject.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1542 was adopted and H.B. No. 266, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1543 (H.B. No. 936, H.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1543 was adopted and H.B. No. 936, H.D. 2, 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, 23. Noes, none. Excused, 2 (Bunda, Kawamoto).

Stand. Com. Rep. No. 1544 (H.B. No. 1267, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1544 was adopted and H.B. No. 1267, H.D. 1, S.D. 2, 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, 23. Noes, none. Excused, 2 (Bunda, Kawamoto).

H.B. No. 122, H.D. 2, S.D. 1:

Senator Tam moved that H.B. No. 122, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Sakamoto rose to speak against the bill and said:

"Mr. President, I rise in opposition to the bill.

"This bill, I guess, creates serious penalties for not paying on time. Prompt payments are good, especially in bad economic times. People want their money paid on time. Presently, there are existing laws on the books to handle delinquent general contractors who do not adhere to the 10-day prompt payment law. But in speaking with DAGS, Department of Accounting and General Services, who oversees all of the complaints, they said they've received very few complaints, and they have the authority to enforce this.

"As was previously mentioned here, maybe they can do a better job. Maybe other state agencies can do a better job as well, but because of the lack of complaints, I think the seriousness of the penalties proposed is way overboard. The subcontractors can also contact the general contractor's bonding company.

"We passed a measure on this very floor a few years back called the Little Miller Act. Subcontractors were complaining that for periods of time they didn't get paid, and that measure said that if they don't get paid when finishing their part of the work, in 90 days they can get a claim from the general contractor's bonding company. If subcontractors aren't aware of that provision, they should be. That's a remedy. People are saying they haven't got paid for years and years, that's past. That has been cured. And if they haven't used the remedy of going to DAGS or the bonding company, they should.

"These measures in this bill, Mr. President, if you didn't pay a mortgage payment by one day after you're due to pay it, does that equate to a \$1,000 fine or 10 percent, or \$5,000 fine or 10 percent, or \$10,000 fine or 10 percent, whichever is greater? And as you are aware, contracts are large amounts. General contractors and subcontractors have subcontracts. They work these things out. Mr. President, all of this can all happen on

one payment -- somebody's bookkeeper fails to pass the checks out, something goes wrong.

"In a bill previously in the Judiciary Committee about fish, you catch all of the species in one net and maybe it should be incidences, but I made that comment earlier, but that wasn't fixed. So this is just too much, Mr. President. The State shouldn't get in the way of general contractors doing their contracts. DAGS isn't in favor of this, and I don't think it's a very good bill, Mr. President.

"So I urge my colleagues to vote 'no,' all of you."

Senator Chumbley rose in opposition to the measure as follows:

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

"Mr. President, before I proceed, I do want to assure our colleague from Moanalua that we did take care of the fish bill. It's not per fish, per rock. That was taken care of.

"Mr. President, this bill goes too far in the penalties. The civil provisions that it allows for of a \$1,000 fine or 10 percent of the contract, whichever is greater, for the first offense, is too far; \$5,000 fine or 10 percent of the contract on a second offense goes too far; \$10,000 or 10 percent of the contract, whichever is greater, and the prohibition from bidding for three years for a third offense just goes too far.

"I'll draw all my colleague's attention to a recent court case, Metcalf Construction, where under Chapter 104D the court attempted to bring charges against Metcalf Construction and they actually won the court case because the penalties were too severe. I think that penalties are appropriate, Mr. President, but these go far, far too far. For those reasons I'll be voting 'no' on this bill."

Senator Taniguchi rose and said:

"Mr. President, would you note my reservations on this bill."

The Chair so ordered.

Senator Inouye then said:

"Please register me as a 'no' vote, please."

The Chair so ordered.

Senator Matsuura requested a ruling from the Chair as follows:

"Mr. President, I would like to request a conflict ruling from the Chair."

The Chair stated:

"Please state your potential conflict."

Senator Matsuura replied:

"My brother is a subcontractor on many state jobs."

The Chair ruled that Senator Matsuura was not in conflict.

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

Senator Tam rose and said:

"Mr. President, just to clear up the air in terms of this bill, I speak in favor of it.

"Many of the provisions written in this bill are the proposals of the administration.

"Thank you."

Senator Sakamoto inquired:

"Mr. President, will the chair of GOH yield to a question?"

Senator Tam having answered in the affirmative, Senator Sakamoto continued his inquiry:

"I don't understand. Which administration?"

Senator Tam answered:

"The State administration."

Senator Sakamoto responded:

"From my knowledge, this isn't their current position. I think when we met with them, they acknowledged that there were few complaints and this wasn't their position the last time we met."

Senator Tam then stated:

"Unfortunately, you didn't have any further dialogue with them. They communicated with me afterwards."

Senator Sakamoto further inquired:

"That they're in favor of these penalties?"

Senator Tam answered:

"Yes."

Senator Sakamoto then said:

"Well, I haven't communicated with them after you. It may be so, but I would seriously consider that this isn't their position."

Senator Tam then commented:

"My suggestion is that you talk to them.

"Thank you."

Senator D. Ige then said:

"Mr. President, if you could just note my reservations on this measure."

The Chair so ordered.

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 122, H.D. 2, 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, 16. Noes, 9 (Bunda, Chumbley, Chun, M. Ige, Inouye, Iwase, Matsunaga, Sakamoto, Slom).

H.B. No. 460, H.D. 2, S.D. 1:

Senator Kanno moved that H.B. No. 460, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

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

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

"The check cashing business and industry has become very widespread. It's probably a growth industry here, and a number of people want to put many restrictions on the business. Protecting the public against fraud is a legitimate and valid concern. However, I think that a number of people seek to restrict the business because they are concerned about just how much growth has taken place. For example, we heard that a lot of older people are using check cashing services in lieu of banks because they find that even with the supposed high fees that these companies are charging, the fees are lower than going through a regular bank where in fact maybe the fees are higher or they can't even get the amount of money that they want because of certain limits and other considerations, or they don't have the convenience.

"So I think that whenever we're passing legislation to protect the public, we should make sure that we are in fact protecting the public, that there is a real and not a perceived problem, and that in fact we are not protecting another industry such as the banking industry.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 460, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1547 (H.B. No. 1361, H.D. 2, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 1547 be adopted and H.B. No. 1361, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in support of the bill with reservations and said:

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

"The bill was originally dubbed the 'Jimmy's Tour' bill and sought to prohibit what had occurred to a number of people who were taken advantage of by one charter tour company. And while that is regrettable and should not be accepted or tolerated and the laws should be enforced, I think that this bill puts some undue burdens on legitimate tour and charter operators, particularly with the financial disclosure, reporting, bonding, and other requirements. So I'll support the basic concept but with reservations.

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1547 was adopted and H.B. No. 1361, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1548 (H.B. No. 37, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1548 be adopted and H.B. No. 37, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the bill as follows:

"Mr. President, I'll speak in opposition to the bill.

"While I certainly support our film industry in the efforts that we have done, again, this is a bill that will create a special fund, the State of Hawaii Film Revolving Fund. I think good prudent policy requires that we use appropriate general fund means.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1548 was adopted and H.B. No. 37, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1549 (H.B. No. 162, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1549 was adopted and H.B. No. 162, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," 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. 756, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1550 be adopted and H.B. No. 756, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen requested a conflict ruling from the Chair as follows:

"Mr. President, may I have a ruling on a conflict."

The Chair then said:

"Please state your potential conflict."

Senator Buen replied:

"I work for Maui Electric Company."

The Chair responded:

"No conflict. You may vote on this measure."

Senator Buen then rose to speak against the bill and said:

"I rise to oppose this bill, Mr. President.

"Mr. President and my honorable colleagues, the Legislature created the Public Utilities Commission to approve or disapprove projects, case by case. And the Public Utilities Commission holds public hearings and hears all sides and takes into full consideration direct and indirect financial, economic and social factors. This means that the Public Utilities Commission very carefully studies health factors, including EMF, and the cost factors to rate payers. I understand the concerns for visual impact and possible health effects like EMF, and I share the concern, but we must balance these factors involved.

"In 1997 the Legislature passed a bill known as Act 95. That act lists factors that the public utilities must take into account including EMFs, visual impact, reliability of electric service, and cost. The PUC must consider the factors listed in the statutes.

"What we are essentially doing by passing this bill is to say to the electric utilities, yes, go ahead and raise those rates. And

some people say they can pay, but many absolutely cannot or will have a real tough time. Families are hurting. Many of them are just making ends meet. Many of them will not be able to pay those rate increases. Senior citizens who are on fixed incomes, and young families, will just have a real tough time paying higher electric rates.

"There's something wrong with this picture, Mr. President and fellow colleagues. This bill is wrong. I certainly appreciate that there are some Senators responding to their constituents in their districts who are lobbying very hard to underground the large overhead transmission lines. But, and I say but, leave it to the Public Utilities Commission. It's their job. Let them make the decision.

"I urge you to consider the long-term consequences of interfering with the public utilities' work. We have to look beyond the emotion of visual impact, and I ask my fellow colleagues to vote 'no' on this bill.

"Thank you, Mr. President."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I vote 'no' on this particular measure and the reason being that again we're using children, as I said on the tour buses, etc.

"In this particular measure, when we started off, we were playing around with kilowatts. What was dangerous and what wasn't, and a hundred and somewhat volts versus 30, 40, 60 or whatever, and with anything placed near schools or a preschool or hospital. We played around with a lot of things. And this bill has changed considerably. The fact of the matter is there is all kinds of data. I have said originally when we were doing H3. Everybody was worried about the overhead placement of utilities at that time. It held up the project for a while.

"With this one here it's saying that it's in a residential area. In reality, it's because it's ugly and they want it underground. And it's not going to be that only those people in that area are going to be paying for it. We all are, now and in the future. In some areas such as Hawaii Kai, if I remember correctly, in Koko Head, etc. they all went underground. That's because the developer did it that way. Those people paid for it when they bought their homes. This one is saying we want it underground now, and they are going to take and make sure that the cost is going to be given across the board.

"They've taken out that it's only going to be in areas with 500,000 people or more. That's no longer in the bill, but that was in the bill. In other words, safety of children on Oahu was very pertinent. Neighbor islands, we didn't matter too much. Some of them said, well we don't have the same problems that you do today. But when we put out a bill, it should be looking at the future. That's where the problem is anyway. We do everything, we react rather than act positively and with good common sense.

"And for those reasons I'll be voting 'no,' because I think that when we originally put this bill out, it was to take care of a matter that some people had in their areas. But they're going to happen all over this State because this State is growing. And soon, Maui will have populations over 500,000 and so will Kauai and the Big Island. We're growing and I hope that we grow with a positive mode with good planning and not something that we're going to just react to for that very moment and we pass bills that are not going to be for the future of our kids. They're going to have to take care of their own problems. We're just going to take care of today.

"Thank you very much, Mr. President."

Senator Kanno spoke in favor of the measure and said:

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

"Mr. President, one of the previous speakers indicated that the Public Utilities Commission has the responsibility to weigh all of these factors and make decisions on undergrounding power lines. At the confirmation hearing last week, Mr. Greg Pai, who's been serving on an interim basis on the commission, indicated that there is really no method or means to underground lines unless there is another source to pay for it, either federal funds or special highway funds. What he said to us at the hearing is that they aren't going to be undergrounding any power lines.

"This measure addresses a great deal of community concern and concern from Legislators about the Public Utilities Commission's inability to decide on the side of the community's request to underground. Time and time again requests to underground have gone unheeded by the Public Utilities Commission. So I urge my colleagues to support this measure.

"One item in closing is that the bill does not mean that there will necessarily be higher rates. The bill specifically says new 138 KV lines. First of all, there are very few projects that are pending of this magnitude. Second of all, the utilities always have the right and the opportunity to relocate proposed lines away from these areas. They can build all of their lines overhead as long as they don't come within residential areas where the public has voiced their concerns.

"Thank you."

Senator Chun rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"Mr. President, I appreciate the time and effort that was put into this bill by my colleagues from Manoa and Makakilo. They have spent a lot of time and effort to try to draft a bill that would meet the needs of everybody. However, unfortunately, this bill as currently drafted does not seem to accomplish that.

"It seems confusing that the background for this bill either states that either for visual purposes or for safety. If it's for visual purposes, I see no reference in here in regard to what impact utility lines will have on the visual scene of the State of Hawaii. If it's for safety, it sets a standard of 300 feet but there has been no testimony or evidence regarding to see whether or not even this 300 feet is safe, if at all. In fact, if it goes to safety, I must turn to the testimony of Bruce Anderson, the nominee for the Director of Health for the State of Hawaii, in regards to maybe a companion Senate Resolution. Dr. Anderson states that the information regarding EMF is incomplete, at best. He goes on to say that it states that one federal health agency, the National Institute of Environmental Health, convened an international committee that concluded that the power line frequency in EMF can possibly cause cancer in humans. However, Dr. Anderson goes on to say, it neglects to mention that two other U.S. federal health agencies do not believe that EMFs are a health risk.

"In July 1997 the National Cancer Institute reported its own study which found that EMF did not cause leukemia in children of Illinois, Indiana, Iowa, Michigan, Minnesota, New Jersey, Ohio, Pennsylvania and Wisconsin. In January 1997 the National Academy of Sciences reported specifically no conclusive and consistent evidence shows that exposure to residential electric and magnetic fields produce cancer, adverse neuro-behavioral effects or reproductive and development effects. Because of this, Dr. Anderson says there can be no federal or Hawaii standards for EMF which are based on health. No one, including the PUC, can establish a health-based standard for something which is not proven a health hazard. If this is the case, Mr. President, if there is no standard for determining what is safe, if there is no standard in determining what's the impact of our economy in terms of preserving the visual impact of certain scenery, if there are no standards as far

as how much is enough in terms of what we pay for electrical costs, if there are no standards for what the impact is going to be on businesses in terms of whether they're going to be able to stay in business or keep people employed, if there are no standards for these important considerations, then this bill really should not be passed.

"I submit, Mr. President, that these decisions to underground lines based upon health, to underground lines based upon cost, to underground lines based upon other social impacts should be done by the PUC and I suggest that if we are not comfortable with the appointees to the PUC regarding their ability to make these hard decisions, then I suggest, Mr. President, that this body not confirm them. But those are where the discussions should take place, where the people who we actually charge with making these decisions, because if we don't charge and if we don't trust them to make the decisions, we shouldn't appoint them.

"It goes back to what I said in an earlier bill, why are we trying to protect departments from doing their job? Why are we doing that? Why are we doing laws to second guess them because we don't trust them, and then we keep on continuing to appoint them. Oftentimes we have nobody to blame but ourselves, if that is the case. For those reasons, Mr. President, I urge my colleagues to vote against this bill.

"Thank you."

Senator D. Ige then rose and said:

"Mr. President, I would just like to note my support with reservations. Thank you."

The Chair so ordered.

Senator Inouye rose on a point of personal privilege and said:

"Point of personal privilege please, Mr. President.

"This bill has been amended several times, and one of the amendments that sort of bothers me was deleting the 46 kilovolt transmission system now is recognized to 138 kilovolt, and my question is, Where would a 138 kilovolt system be built, if any, on any of the neighbor islands? Because this is a large system, I was just wondering where would these systems be built, if at all possible, if there is anything that's pending now, and how many in the future?"

At 2:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:24 o'clock p.m.

Senator Inouye continued:

"Thank you, Mr. President. I do want to correct myself. This act is applicable to new 138 kilovolts and my question is still relevant. I would like to ask anyone who could answer, Where would a system like this be built, and if any, are there any outstanding applications to the PUC?"

"Thank you."

Senator Taniguchi responded:

"Mr. President, in response, there's currently only one possible place and actually the application has not been filed. This is for the Kamoku-Pukele project, which goes up Wa'ahila Ridge. According to the testimony, to the best of my knowledge, that's the only 138 KV line project that is even being contemplated, although others fear it on other islands.

"To continue, Mr. President, I had not planned to speak on this bill and I had thought that my colleague from Waianae was going to counterattack my colleague from South Kauai

(laughter), but if you recall, Mr. President, previously we passed S.B. No. 143, S.D. 1, which included a number of provisions, and made them applicable to 46 KV lines and above. We have now changed this to make it applicable to 138 KV lines and above. On the neighbor islands, the highest kilovolt lines are 69 kilovolts.

"We have done this to try to accommodate some of the concerns. The original S.B. No. 143 also had a retroactive provision which would make it applicable to projects that had been approved but had not been completed, and we have taken that out. It would only be applicable to perspective applications. There was discussion about exempting the neighbor islands, but that was defeated in the Ways and Means Committee.

"With regard to EMF, generally the agreement is that health studies are inconclusive as to the effects of EMF as a cancer causing agent, but we would prefer to err on the side of safety. In the past we've had other kinds of chemicals -- lead paint, heptachlor, all these kinds of chemicals -- that we did not know the effect, even secondary smoke from tobacco. We've had those kinds of problems. So I think your committees were concerned that we should err on the side of safety.

"There's also been some question about the spreading of the cost and the mandatory nature of this bill. Yes, the current draft of H.B. No. 756, S.D. 2, does include a mandatory provision, but I'd like to point out that currently even in the Wa'ahila Ridge/Kamoku-Pukele project, parts of this are mandated to go underground because HECO is required to do so based on City ordinances mandating that type of undergrounding. They also comply with City ordinances in the Capitol District where they're required to underground utility lines. So we have State statutes that mandate undergrounding already, and those costs are spread to all ratepayers.

"I would ask my colleagues to support the bill and that we will be continuing discussions on this.

"Thank you."

Senator Bunda rose in opposition to the measure as follows:

"Mr. President, I am going 'no' on this measure.

"However, to the credit of the chairs, they did change the voltage to 138 KV. I just hope as it moves along, if it does pass, that the 138 KV will not change.

"Thank you very much."

Senator Hanabusa rose in support of the measure and said:

"Mr. President, it's not really for my colleague from Manoa but his 16 year old daughter that I speak in favor of this measure.

"Mr. President, there is a lot of misperceptions and misconceptions about 138 KV lines, EMFs and what it means. My colleague from Manoa is correct. The only potential new application is that which is going to go from Kamoku to Pukele, which is really for those of you who have children at Iolani School, right next to Iolani School to the top of Wa'ahila Ridge and behind Palolo Valley. There is also another 138 KV line which is to be constructed underground from Archer, which is behind Honolulu Club. Those of you who go there you should know that there is a 138 KV facility located there and it's going to go underground, basically down Kapiolani again to Iolani School, and that completes the Island of Oahu's 138 KV grid.

"Mr. President, this is really an issue of fairness. My colleagues, you raised various issues about cost, why should everyone pay. Do you know, for example, that 138 KV lines will never go overhead in Palolo? The reason is because the

residents of Palolo, I believe some of our colleagues were involved in it, sued. And as a result, Hawaiian Electric agreed that it would not put any overhead lines in Palolo, and if it does go, it will be go underground.

"You asked what is the PUC's rule. Nothing. It doesn't care, as long as you make the decision for it. East Honolulu -- you have a beautiful highway there, 'Kal' Highway. I call it rock gardens. Somehow your highways are beautiful. You should come out and see the highways we have in Waianae. But having said that, do you know that underneath your median strip are the lines ready to accept 46 KV lines? So they will go underground, as well. Do you know who paid for that? We did -- ratepayers -- half of it by ratepayer base, the other half by our tax base. Is that fair? Is that fair for the rest of the island? But these are things that are not in your face so you are not addressing that.

"We talk about the health concerns. My colleague from Manoa is perfectly correct. The jury is out. In the PUC hearings on EMF -- the longest that they've ever had -- Hawaiian Electric brought in five experts, most of them earning about \$2,500 a day just to sit there. And of course, we paid for it because it's in our rate base. Now, what was the conclusion of all our learned experts? Very simple. It's either like the glass is half full or half empty, whichever way you want to look at it. And if you ask them quite candidly at about 11:30 at night when everyone is a bit punchy, they'll say, 'of course we want the jury to remain out.' That's what keeps us in business. And they will tell you a very important fact. Do you know that the tobacco industry, until very, very recently, never admitted that there was a causal link between the smoking of tobacco or the inhaling of smoke and lung cancer. They won't admit that. It's a legal determination that makes the link because scientifically, if you want a scientific determination of a causal link, you're not going to get it because, colleagues, science never proves, it only fails to disprove. So if you ask any scientist -- for those of my colleagues who are attorneys, you know -- they will give you reasonable scientific certainty, but they will never say that there is a causal link. So you will not have a causal link.

"What this bill does is it makes difficult decisions for an entity that doesn't want to make the decision, the PUC.

"You should also be aware that the Hawaii Supreme Court made a decision on the Island of Kauai where the County Council there wanted to tell the Kauai's Citizens Utilities that it could not build electric poles higher than 'X'-amount of feet. The Hawaii Supreme Court said, those are issues within the jurisdiction of the PUC.

"Look at county ordinances or city ordinances that required the undergrounding of lines from Liliha to Archer because a portion of it is a design district. Look at why on King Street you will never have overhead lines because there is an ordinance or state statute that says you will not have anything overhead. We make those kinds of laws for whatever reasons.

"We now have become a lot more educated along the way. We know that there may be a concern about EMFs; there may be concerns about our children. This statute gives the utilities a choice. It tells the PUC that if the utilities come within 'X'-amount of feet of a school, they must go underground. But they can always engineer it other ways. They can avoid it. We're not saying, like an ordinance, that 'Hey, it's going to go underground.' We're giving them a choice.

"Colleagues, this measure is not onerous. I ask that you support it because it sends a clear message and it gets us going on the right track.

"Thank you very much."

Senator Anderson rose to speak on the bill again and said:

"Mr. President, I guess it's a little rebuttal, if I may.

"I think what the good Senator from Waianae said is factual -- that we can't get a clear determination from the scientists and that's why we have a problem here. We don't get a clear anything from the attorneys. It's always so vague that it's not this is what's going to happen. And for those of us who are not attorneys, if we say the Constitution says this and it is harming these people or this rule is harming these people, how can we help. They always tell you what the court said. I'm not interested in the supreme court, the circuit court and the rest of it. I want to find out if in fact, because I'm not part of the administration's in crowd, why we have to pay for certain things after the fact.

"If Palolo, which is an old community, has to have wiring, I can understand you standing up and saying Hawaiian Electric should pay. I just don't know why we have to go across the board and all the rest of us pay. If Waianae has a brand new subdivision, I can understand that going underground. That's what they're looking for.

"That's why it bothers me so much that we make laws which tells us what we should do, after the fact. If we're going to disallow certain groups from the neighboring islands because right now they don't have the same problems, they're going to end up with the same problems. And then they're going to say, 'Hey, we would like to have underground wiring. We would have liked to have had that.' So we should look to the future and say if we're going to change the law for the State of Hawaii and if we're going to say strictly because we want to do it for children, then it should be every island and it should be an automatic deal. It shouldn't matter if you have a constituency of 500,000 or more to start off with.

"And I agree with you. Hawaiian Electric has . . . I have a lot of problems because my dad and them used to be stockholders and everything they say is we have to do this for the stockholders. Well, what about the rest of us that are not stockholders. We don't have a blue chip stock, so they're charging us. That's why I fight big business over here and everybody laughs and thinks it's funny. All I want them to be is competitive, not looking at who's going to benefit and who's not. Be competitive and let's fight for the good of the people of the State of Hawaii is what I'm saying. And this bill doesn't do that. This bill only takes care of certain groups for now, not for the future.

"And if we're going to help everybody, like we're supposed to, then that's what we should be looking at. So for those reasons I'm still going 'no,' Mr. President."

Senator Chun rose again and said:

"Mr. President, also in rebuttal, I guess, to the statements made. I would agree with the statements made by the Senator from Waianae that the question really is equality. The question really is why does one neighborhood get underground utility lines down their highway and why one doesn't. I think those are important questions.

"What is happening in those kinds of situations, in all the situations in which they have an underground in, for example in the Honorable Senator from Hawaii Kai, in that one, it was done by a cost-sharing agreement between the State Department of Transportation and the utilities. And in certain circumstances, the State Department of Transportation refuses to enter into those kinds of agreements with the utilities and then that's when they go overhead.

"But again, the focus really is what is the department doing? Why are they favoring one area over another? Why are they building it underground one time and overhead the other? Why is one neighborhood discriminated against on the other side? I think those are the questions we need to ask because I think once you get cooperation with the departments and you get equality of treatment, then you are going to truly have a

situation where both worlds can be realized. You can preserve the integrity of the visual impacts of the neighborhoods. You can look at potential safety once we have done standards to determine what is safe and what is not. And you can have underground utility lines, but again, rather than force the departments to make those fair decisions and fair judgments, we're going to ignore the departments and have the ratepayers pay all of that and absorb all the cost, as opposed to having the departments and all the general taxpayers to make fair and equitable decisions throughout the whole state.

"I think that's what I would want -- a bill that would have required the Department of Transportation or even the counties, for that matter, when they do road widening projects to make provisions in their budget, in their construction plans for the undergrounding of utilities. It's as easy as that. The utility companies can save money and the ratepayers can save money on those, and the Department of Transportation and the counties could plan ahead in terms of coordinating their efforts with the utility companies. Easy as that. Easy as that.

"I think those kinds of bills would have foresight and planning in mind as opposed to a hammer, would go a long way to making this State a better place to live.

"Thank you, Mr. President."

Senator Sakamoto rose in support of the bill with reservations:

"Mr. President, I rise in support with reservations.

"No one likes to see overhead lines. The public would prefer all lines underground, but like everything else, cost is the problem. And I agree with the Senator from South Kauai that perhaps road widening projects, when those are done, certainly, that would be the best time as opposed to a measure like this. And certainly, we need to see how we can deal with this problem because it is something that I think in the future we want all lines underground, Mr. President."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1550 was adopted and H.B. No. 756, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Buen, Bunda, Chun, M. Ige, Matsuura, Slom, Tanaka).

Stand. Com. Rep. No. 1551 (H.B. No. 1041, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1551 be adopted and H.B. No. 1041, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1551 was adopted and H.B. No. 1041, H.D. 2, 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.

Stand. Com. Rep. No. 1552 (H.B. No. 1071, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1552 be adopted and H.B. No. 1071, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the bill and said:

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

"The bill establishes a special fund in order to pay an administrator to monitor the continuing education of insurance licensees, and it also raises fees that are going to be collected by the insurance commissioner. So I'm voting 'no.'

"Thank you."

Senator Tam rose requested a conflict ruling as follows:

"Mr. President, I may have a possible conflict of interest.

"I sell life insurance."

The Chair ruled that Senator Tam was not in conflict.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1552 was adopted and H.B. No. 1071, H.D. 1, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1553 (H.B. No. 1522, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1553 be adopted and H.B. No. 1522, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure as follows:

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

"The bill proposes to exempt county real estate appraisers for ad valorem taxes, from licensing and other requirements for other property appraisers in the State. And the argument is, and the justification is that this is a county function and the appraisers should not be subject to the State rules. However, the county appraisers have been subject to the State rules. I haven't seen or heard any problems with that requirement for registration or for licensing, but I have seen problems, particularly in the City and County of Honolulu, where the county appraisers were told to do and, in fact, did illegal acts in over-assessing certain kinds of property, commercial property, because, as it was stressed, the administration of the City and County of Honolulu was seeking greater revenue enhancement from higher property appraisals. And so I think it would be incumbent upon us not to support the exemption of the county appraisers, particularly since at least the City and County of Honolulu is still saying that it needs more revenues and may be seeking them through the appraisal process.

"Thank you."

Senator Anderson rose with reservations and said:

"Mr. President, I'm reading this from the legal check and I don't know if I want to go 'no' or 'with reservations.' I think at this point I'll go 'with reservations' because it does say that it possibly gives them a chance to go over the fair market value which is not what we want to do with this particular bill -- I don't think. I believe that they wanted to have a fair appraisal, not one that would go over fair market value.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1553 was adopted and H.B. No. 1522, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 1554 (H.B. No. 318, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1554 was adopted and H.B. No. 318, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SCHOOL CLERICAL POSITIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1555 (H.B. No. 632, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1555 be adopted and H.B. No. 632, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure as follows:

"Mr. President, though I support the intent of the bill, again it creates yet another special fund, the Developmental Disabilities Special Fund. So I'll be voting 'no.'"

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1555 was adopted and H.B. No. 632, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 1556 (H.B. No. 635, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1556 be adopted and H.B. No. 635, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure and said:

"Likewise, Mr. President, I rise in opposition to the bill.

"The bill creates the State Health Planning and Developmental Special Fund."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1556 was adopted and H.B. No. 635, H.D. 2, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1557 (H.B. No. 235, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1557 be adopted and H.B. No. 235, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to speak on the measure with reservations:

"Mr. President, I have some reservations on this bill.

"If I'm reading this properly, it still permits people who live out-of-state to be able to vote for the Hawaiian Homes Commissioners. I didn't think that that was fair. I can't go to another state and vote for the people from their state. Their choice was to move out of state for whatever reason. I do believe that you should be a resident to vote for the commissioners on Hawaiian Home lands. And I have some reservations the way it's written and some other concerns, but that's my main concern.

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1557 was adopted and H.B. No. 235, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1559 (H.B. No. 1703):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1559 was adopted and H.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1560 (H.B. No. 142, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1560 was adopted and H.B. No. 142, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1561 (H.B. No. 765, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1561 be adopted and H.B. No. 765, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition to the bill and said:

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

"Again, Mr. President, the bill is a tax increase. The bill would seek to increase the daily motor vehicle rental surcharge tax. I think the original proposal was to \$5 from the current \$2. Then it was down to \$3. Then it was a blank amount. I do not like voting for blank amounts for any purpose. But the purpose of this bill again is to raise the taxes.

"We always say that this is going to be on the tourists; we won't have to pay it. At least 25 percent of us are tourists when we go to the neighbor islands or when we rent a rental car. So the burden will fall on all of us and I think it's a bad bill.

"Thank you."

Senator Chun also rose in opposition and said:

"Mr. President, I rise in opposition to the bill.

"Mr. President, during the testimony on this bill it was indicated that the practice of unbundling in some states is considered to be deceptive for the consumers. I don't feel comfortable, Mr. President, that we would make a deal to allow

a deceptive practice for our consumers, or potentially deceptive practice for our consumers, in exchange for getting a higher fee. If we're going to set the fee at a higher rate in order to pay some of the expenses, fine. But it should not be subject to a deal to potentially expose our consumers to a deceptive act. And for that reason, alone, as a matter of principle, Mr. President, I don't believe that we should engage in that kind of trading.

"Thank you."

Senator Anderson rose to speak against the measure as follows:

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

"In the beginning, there were quite a few of the car rental people who were opposed to this, and again because we deferred it, tried to change it, correct problems that they had, they're now for it. The reason being that they're able to charge for the insurance part of it. It helps get commissions for their people. It doesn't make any difference when you write a bill and you correct it. Then you have those who are opposed to it and now they're for it. The rest of them are still opposed to this. There's only a certain group.

"In the beginning, their argument was that it was going to hurt the constituency that they had, the tourists that came in. All of a sudden, you fix it up so they're making a few bucks, then it's a worthwhile deal. That's not fair to what we're trying to do. And that's why I'm opposed to it, Mr. President."

Senator D. Ige then rose and said:

"Mr. President, I just would like to note my reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1561 was adopted and H.B. No. 765, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Buen, Chun, Inouye, Iwase, Matsuura, Sakamoto, Slom).

Stand. Com. Rep. No. 1562 (H.B. No. 1726, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1562 be adopted and H.B. No. 1726, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Nakata requested a ruling from the Chair as follows:

"Mr. President, I'm asking for a ruling on a possible conflict."

The Chair then said:

"State your potential conflict."

Senator Nakata replied:

"My agency may potentially benefit from this bill."

The Chair responded:

"The Chair rules no conflict. You may vote on this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1562 was adopted and H.B. No. 1726, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY

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

Ayes, 25. Noes, none.

At 2:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:04 o'clock p.m.

H.B. No. 232, H.D. 2, S.D. 1:

Senator Fukunaga moved that H.B. No. 232, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Taniguchi and Nakata 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. 232, H.D. 2, 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 (M. Ige).

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

Senator Inouye moved that H.B. No. 1028, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Tam rose in support of the measure with reservations:

"Mr. President, I am voting in favor of this bill, H.B. No. 1028, with reservations.

"My reservations are due to the history of this bill and the stand of the House of Representatives and the developer, Trinity Corporation, and what may happen in Conference.

"This bill, coming from the House of Representatives, was proposed to build a parking structure at the Irwin Memorial Park which was dedicated park land by the Irwin family in the early 1900's. Let me make it very clear that opposition is not against the need for more parking, but opposition is to the condemnation of the Irwin Memorial Park for parking.

"Surprisingly, Trinity Corporation, the owner and developer of the Aloha Tower Marketplace, finding opposition to building a parking structure at Irwin Memorial Park, proposed a Senate draft. The Senate draft allowed a parking structure to be built on piers 10 and 11 with the condition that if the State does not give the air rights above the parking structure, the taxpayers of the State of Hawaii would have to pay \$5 million to Trinity Corporation.

"Fortunately, thanks to the supporters of the park lands desiring open space, and my colleagues on the Economic Development Committee and the Ways and Means Committee, the bill was amended whereby no parking will be built on Irwin Memorial Park. The Department of Transportation and the Aloha Tower Development Corporation, along with Trinity Corporation, will review the proposal to build parking on piers 10 and 11. The parties must also report back to us on the progress.

"My message to Trinity Corporation and the law firm of McCarriston Miho Miller and Mukai, which represents Trinity Corporation, is, 'Let us work together and stop making deals behind closed doors through former Governor John Waihee against the good of the public who are the taxpayers of the State of Hawaii. The public and the Senate will be watching you.'

"There is concern in the community that Trinity Corporation will try hard to push through the back door in building a parking structure in Irwin Memorial Park with the help of the House of Representatives who support the parking structure on the park. I ask my colleagues to stand firm on the Senate version of H.B. No. 1028 in conference between the House and the Senate.

"I wish to send a message to the House of Representatives -- let us not legislatively interfere with the dialogue between the State Attorney General on behalf of the Aloha Tower Development Corporation and the attorney of the Irwin family trust, located in California, in regards to the Irwin Park's future. If the House position is adopted, the State of Hawaii will be legally challenged by the Irwin family trust, which means that the proposed bill originally was for condemnation of the park.

"Members of the Economic Development Committee and the Ways and Means Committee, I thank you for acknowledging the great negative consequences of the State of Hawaii being sued if we interfere in the dialogue between the Attorney General and the Irwin family trust.

"Thank you."

Senator Iwase spoke in favor of the measure with reservations:

"I'm rising to speak in support of the bill with reservations.

"I commend the co-chairs of WAM and the chair of Economic Development for recognizing the need to keep Irwin Park a park. That was part of the statute when this developer was selected to construct the Aloha Tower project. Part of the reason this development proposal was selected and was so attractive was that it was very respectful of Irwin Park and the view plains, so therefore I hope that the Aloha Tower Development Corporation will respect that.

"Second, the developer was supposed to have put in parking at the complex. If they cannot go under piers 8, 9, 10, 11 which is where it was supposed to be, then I suggest that the developer look at piers 5 and 6 or perhaps 10 and 11. And again, it is something to be negotiated between the developer and the Aloha Tower Development Corporation. And so therefore I hope the Senate does not back off from its position and allow development at Irwin Park.

"Thank you."

Senator Slom rose in support of the measure with reservations:

"Mr. President, I, too, rise in support with reservations.

"I'd like to echo my colleagues that the Senate make very clear that our position is that Irwin Park is to be returned as a grade level park, as was said and as was promised all along, because if the wishes of the heirs of this estate and their donation to our community can be changed, then any of us are at risk, and it sends a dire message for the future.

"The State has sought to absolve itself from any liability in the Aloha Tower project and yet it made representations not only to the developer but also to the tenants, the lessees. The State merely tries to hold itself out as a land owner right now, yet it wants the benefits of tax revenues and all of the benefits of employment. So the State has an obligation and the obligation is to move forward, but to move forward to provide parking and to provide those things that will make this project truly viable not at the expense of anyone else, particularly at the expense of Irwin Park. So I would urge my colleagues, when we go into Conference, that this position is non-negotiable, that it's extremely clear and that we want to preserve Irwin Park.

"Thank you."

At 3:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:15 o'clock p.m.

Senator Buen rose to speak against the measure as follows:

"Mr. President, I voted 'no' on this bill in the Economic Development Committee and also in the Ways and Means Committee, and I will still vote 'no' on it.

"According to the Aloha Tower Development Corporation and the Department of Transportation, they don't really need this bill, and they have been having ongoing discussions and so I will vote 'no' on this measure.

"Thank you."

Senator M. Ige rose to speak in favor of the measure as follows:

"Mr. President, I rise to support this bill.

"Mr. President, first of all I just want to recognize the chair of the Economic Development Committee. Being on that committee, I know what both she and the vice chair have gone through -- their patience and perseverance in listening to all the testimony.

"Mr. President, I just hope that . . . this bill is turning out to be a bit larger than originally planned because I think what's happening is it may jeopardize our cruise ships. And I'm hoping that during conference we could look at having the DOT chair, trans chair, involved, because if we're not going to build the parking structure over 10 and 11, then we're looking at 5 and 6. But if the long-term vision is to build it on Foreign Trade Zone, pier 2, and DBEDT is dragging its feet in determining the future of the Foreign Trade Zone, then our whole industry may be in jeopardy. And I hope that we can get everybody together with transportation and work this problem out before it becomes, I guess, a real negative impact on our economy.

"Thank you."

Senator Anderson rose to speak on the bill with reservations:

"Mr. President, I have reservations on the bill and I thought I would further read it.

"As the Senator from Kaneohe said, it says that we're going to allow for the group to sue. They're going to be able to have, I guess, a board. The purpose of this act is to preserve Irwin Park in the future, etc. That's what I thought it was all about. But then it says, 'The Development Corporation shall have all the powers necessary to carry out its purposes, including the following powers: (1) To sue and to be sued; (2) To have a seal and alter the same at its pleasure; (3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers' I'm just not sure exactly what we're setting up here, and how long this group is going to be in. I also don't know how much it's going to cost because it says here that they're able to circumvent some of our chapters, I guess, and who they are going to be able to hire or appoint, and they can fix their salaries without regard to chapters 76 and 77.

So, there's a whole bunch of things that I'm not sure of on this bill. So I'm going with reservations and I would hope that others who thought it was a simple bill would look at it and realize that it's a lot more than we thought in the beginning.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, H.B. No. 1028, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Buen). Excused, 2 (Bunda, Levin).

Stand. Com. Rep. No. 1566 (H.B. No. 138, H.D. 2, 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. 138, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (M. Ige). Excused, 2 (Bunda, Levin).

Stand. Com. Rep. No. 1567 (H.B. No. 1178, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1567 was adopted and H.B. No. 1178, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1568 (H.B. No. 273, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1568 was adopted and H.B. No. 273, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," 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. 1117, H.D. 3, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1570 be adopted and H.B. No. 1117, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose in support of the bill with reservations and said:

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

"Similar to a bill before, this measure is to conform Hawaii law with the federal Adoption and Safe Families Act, which seeks to expedite permanency for children in foster care. So I support the goal of protecting children, but we are dealing with the permanent removal of a child from his parents and it is vital that we allow parents as much time as possible to correct the problem in their home before we permanently take their children away.

"This measure reduces the time period that triggers a show cause hearing under which the child can be permanently removed from 18 months to 12 consecutive months in which the child has been residing outside the family home. I believe 12 months is too short a period in which to give up on a family. We should never give up. Protect -- yes. Help -- yes. Give up -- no, never give up."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1570 was adopted and H.B. No. 1117, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1571 (H.B. No. 1119, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1571 was adopted and H.B. No. 1119, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," 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. 212, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1572 was adopted and H.B. No. 212, H.D. 1, S.D. 1, 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.

H.B. No. 351, H.D. 2, S.D. 1:

Senator Chun Oakland moved that H.B. No. 351, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chumbley.

Senators Slom and Anderson 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. 351, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," 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. 32, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1574 be adopted and H.B. No. 32, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Kawamoto rose to speak in opposition to the measure and said:

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

"Mr. President, the position I have taken today has hurt two of the chairmen that I do have a special bond with -- the Senator from Palolo, Waialae and Kahala, their family and his dad who was a Senator from Hawaii who really did help me when I was in the military, and I really appreciate that effort and I'm sorry for some damage of this special bond because of this position and the aggressive nature which I took on this bill.

"Unfortunately, this bill came about very quickly and I never in my wildest dreams would think that this bill would come this far.

"To the Senator from Hamakua and North Hilo, she always mentioned that we were classmates and there's no further bond as classmates of Hilo High School, Class of '58. (Laughter.)

"But Mr. President, the public enemy number one of our quality of life and society in the last 40 years has been drugs. I would venture to guess that everyone here in this Senate chamber has been affected personally by drugs or drug-related crimes. I, myself, have been burglarized four times in one year, three years ago. People are looking for fast cash items and

jewelry for drugs. The insurance company wouldn't insure me if I didn't have a \$5,000, 24-hour alarm system.

"The police claim that 90 percent of all crimes are related to drugs.

"If you are not convinced that drugs are bad, then take a trip to Bobby Benson Center and see all those young, beautiful people whose brains are fried and will never recover again, or you can ask my good friend Senator Bunda, a former director of the Bobby Benson Center, and ask him what he has seen.

"Mr. President, hemp is drug-related plant. Don't ask me, I say ask the professionals -- the Drug Enforcement Agency (DEA), police, prosecutors and detectives. Ask these people who deal with drugs everyday. Don't ask a State Representative; don't ask a farmer; don't ask a professor, and don't ask us Senators. Listen to the professionals, all of these people testified against this bill.

"If hemp is not a drug, as some would like to make you believe, why must the police and the drug enforcement agency monitor and oversee this project? These professionals must do the monitoring because hemp is a drug. Fellow Senators, a drug is a drug, is a drug!

"Police say that you cannot differentiate between the two plants which would make the control of pakalolo that much more difficult. But some Senators who have not gone on a green harvest raid (I have not), will say that you can tell the difference when the plants are mature. Did anyone take the time to ask the law enforcement agencies if they can tell the difference when they go out to eradicate these plants? I was told that the major green harvest missions are done before the plants are mature, when it is difficult to detect the differences in the plants. And we have here, I quote: 'It is virtually impossible to distinguish with the naked eye the differences between a hemp plant and a marijuana plant.'

"Mr. President, are we trying to see if the police and the DEA personnel have extra time to do additional work to monitor this pilot program? The answer is no! The police and the DEA are maxed out fighting the war on drugs! They are out-manned, out-equipped, and out-financed in their efforts on the war on drugs. In fact, we were told at the National Conference on the Council of State Governments at San Antonio, Texas, this past November, that the National DEA claims to have proof that illegal drug monies are financing the movement of hemp on the Mainland. You might ask yourself why is this. What's next? Ice? Cocaine? Even in this statement, and I quote again from the statement of testimony: 'Pro-legalization organizations, such as National Organization for the Reform of Marijuana Laws, support the hemp industry.'

"Mr. President, our State will be the first in the country to legalize industrial hemp. In fact, I was told that the proponents of hemp in other states are using Hawaii's proposed bill to sue Kentucky for turning down a similar bill

"Mr. President, I, like you, may have been born in the wrong era, (laughter) but what we are doing here is wrong. I do not want to learn more about drugs or how they grow or what oil they produce. I do not want to learn that because I know what it can do to young people. I know we are a long way from solving this problem of stopping public enemy number one. We cannot and must not legalize another drug and open the door for other drugs when we are having so much trouble controlling what we have on the streets today.

"I am familiar with the war on drugs in a small way. My wife and a group of ladies meet twice a month to make quilts for babies born to drug parents. They give away 35 to 40 quilts a month. That's a lot of babies born in our community with drug parents. The war is far from over. Let's not add another day.

"Let's not allow a pilot project on hemp or be the first in the nation to legalize hemp. This is not something that Hawaii should be proud of.

"Mr. President, hemp is a drug. Hemp will hinder the fight against drugs.

"I urge my colleagues who believe as I do to speak out today against this bill, on this floor. You must act now. The future of your young people and their children are in our hands. If this bill passes this floor, we will legalize hemp and it will be too late to stop it. Speak out! This is a conscience vote and a major one. This will forever affect the lives of our young people. And again, for those who will be going up, may God have mercy on your soul.

"For those of you who think you are doing the right thing, and bless your heart, or think that this is a section fight -- it is not; the meaning of a Chair loyalty -- it is not; a means of leadership -- it is not. This is a conscience vote and a major one. This will forever affect the lives of our young people. And again, for those who will be going up, may God have mercy on your soul.

"Thank you." (Laughter.)

The Chair then said:

"God's country, right?" (More laughter.)

Senator Inouye rose in support of the measure and said:

"Mr. President, should I say 'amen' to that?"

"Mr. President, I speak in support of this bill, and I for one have been against drugs and drug use for the years of my life. As a former mayor and former councilwoman, I've always supported the police and their mission. I have not turned down since I was mayor, any monies from the Feds to continue eradication of marijuana on the Big Island.

"Much has been said about industrial hemp, and I think there is some misconception about what this bill is before us. Much discussion has been made as to why is Hawaii the only state in our country to consider research. I'd like to share with my colleagues some information that I've received as well as the publication in my local newspaper the Hawaii Tribune Herald.

"Montana and Virginia have formerly called for an end to a federal ban on industrial hemp, which is grown in more than 20 countries for a variety of products including cosmetics, beer, plastics and paper. New Hampshire, North Dakota and Tennessee also are actively considering pro-hemp legislation, while lawmakers in New Mexico recently funded hemp research according to AgriTech Communications, Inc. which tracks the agricultural fiber business.

"We are talking about research, and we are talking about experimenting to find a hemp variety in which the THC content meets the international standard of 0.3 percent, or less, compared with 6 to 15 percent found in marijuana.

"Canada started allowing hemp production last year. Farmers planted 6,000 acres, claiming profits of as much as \$200 an acre at a time when growers struggle just to break even on traditional crops like wheat.

"We don't talk about the unemployment rate, as high as it is on my island, Mr. President. We're talking about those that are there who want to get into farming and experiment with other products.

"Proponents of hemp say it is the last thing marijuana growers would want next to their plants because cross pollination would diminish the potency of their marijuana.

"We are also talking about the research into the feasibility of producing industrial hemp in Hawaii, accomplished with the appropriate authorization from and within the controls of the Federal Drug Enforcement and Administration and the state Department of Public Safety. We're talking about utilizing the expertise at the University of Hawaii's College of Tropical Agriculture, and we're also talking about a very small parcel of land.

"I ask my colleagues to please let us consider doing this research. Otherwise, we would never know.

"Thank you very much."

Senator Slom also rose to support the measure and said:

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

"This bill's not about drugs. This bill's about agriculture. This bill's about economic development. It's about options. Isn't it interesting, though, that of all the bills that we've talked about today and debated, and bills that we still have yet to talk about that have tremendous significance on the fiscal situation of our people, this is going to be the one bill that's going to have the closest vote to it. The one bill that people have gotten so passionate about. They don't care about over-taxing, over-regulating. They don't care about the bankruptcies and the foreclosures, and the people leaving the State. They don't care about the uneducated children. But we care about industrial hemp.

"By the way, I don't pretend to be an expert, but my information is that industrial hemp is tall and reedy with very few leaves, and that other plant is short and bushy and leafy. There's a big difference.

"We're talking about a privately funded research to see whether or not we have another viable crop. We've lost sugar. We've lost a number of opportunities. We've lost jobs, local jobs. We're arguing now about forcing people into unionization to keep local jobs. This may be an opportunity to create more local jobs. It may be an opportunity to create jobs where jobs have been lost. It may be an opportunity to protect and preserve agriculture and open space.

"And we're the state that likes to be first, but we don't want to be first in this instance. Why? What is it that we're afraid of? We can't stand here and defend drugs. Nobody would. Nobody in their right mind would. But when the Senator from God's country talks about the war on drugs, he should know that the war has been lost. We have spent billions of dollars and we are losing more and more people all the time. Everything that we have tried is not working.

"But we're talking about economic development. We're talking about an optional choice for a potential crop. And will that crop be successful or viable? We don't know. That's what it's all about. We're not talking about legalization. We're talking about a simulated test under very strict conditions. We're talking about sterilized seed of a plant which is incapable of germination. And when we say that industrial hemp is related to marijuana or other drugs, it's like saying that table salt is related to a poison; tomatoes are related a poison; apricot seeds, if taken in enough quantity, are a poison and will kill you. There is that relationship, certainly. But, that's not what we're talking about.

And to cloud the issue and not give us an opportunity to at least find out if it's viable . . . Here we're not even using taxpayer money. It's private research. We don't have the luxury of saying, 'No, we don't want this.' And yet that's what we've done. We've turned down opportunities for a paper mill. We've turned down, initially, an opportunity for corn seed, geothermal. We've turned our backs on everything, and other areas would love to have these opportunities. We don't have the economic base nor the business climate to turn down

everything, and yet that is the reputation that we've gotten. So I think that we should take a chance on this because the chance is very well and carefully regulated and restricted.

"And finally, my colleagues were kind enough to serenade me today at lunch time because it is my natal day, but I share this birthday with Thomas Jefferson. Unfortunately, the Senator from Waipahu, even though he is an Aries, comes a day late, so he's a dollar short. (Laughter.) Thomas Jefferson wore clothing made out of hemp. He wrote famous speeches on paper made out of hemp. He used medicinal compounds made out of hemp. The colonists used building materials made out of hemp. They ate food made out of hemp. We can do these things again. We have an opportunity -- not because we want to advance drugs or we want to turn the other way, but because we want to look for something or many things that can give us agricultural choices and economic development.

"I urge my colleagues to vote 'yes' on this bill. Thank you, Mr. President."

Senator Sakamoto rose to speak against the measure and said:

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

"The purpose of the bill, yes, as the Senator from Hawaii Kai said, is privately funding industrial hemp research in Hawaii. So, the war -- lost? Economic development -- take a chance? And please bear with me, I have some information to share.

"There's numerous reasons why H.B. No. 32 should be killed. First, hemp is a four-letter word -- D-R-U-G. Also, its value as a commercial product is highly questionable for the reasons I will give. Mr. President and fellow Senators, there is no economic or environmental justification for legalization and introduction of hemp cultivation. The campaign to introduce hemp marijuana as a viable agricultural commodity is one of a number of strategies being promoted by the pro-drug lobby to legalize marijuana. The introduction of hemp marijuana as a crop has been proposed for consideration by Canada's Parliament. In the United States, petitions have been distributed by the pro-drug lobby to place the hemp marijuana cultivation initiative on election ballots in several states.

"It's been said that the hemp marijuana campaign is particularly aimed at high school and college students who are being recruited by the pro-drug lobby, specifically using false environmental claims as a ruse. This is evidenced by the dramatic rise in marijuana hemp symbols, youth oriented products, pro-hemp marijuana clubs.

"Mr. President, the claimed advantages of hemp marijuana over raw materials are false. There is no need for products made from Cannabis sativa -- true hemp. Better alternate products exist in every case. Why are we wasting our time on a product of unproven commercial or environmental quality?

"Permit me to re-state this rationale from the Drug Watch International. First, many plants such as corn, alfalfa and other crops produce more tonnage, per acre, and are more soil-building than hemp. They are already meeting market demands for alternative fuels such as ethanol fuel. Hemp fiber is inferior for making rope, twine and other products where durability and strength are important. Unlike plastics and synthetics, hemp absorbs water, becomes heavy and rots easily. Cannabis cultivation has caused serious environmental consequences. The extensive use of herbicides and chemical fertilizers which are used in the process of Cannabis cultivation results in deforestation and soil erosion.

"The definition of industrial hemp, as stated in H.B. No. 32, means marijuana with .3 percent or less of tetrahydrocannabinols (THC). This level is one of . . . and the plant cannot be discerned by the naked eye, so let me reiterate -- you cannot see it. That means hemp could easily be diverted

into an illegal drug market. The cost to monitor this system would be incalculable.

"Mr. President, many of our seniors are claiming or believing that hemp has therapeutic benefits. In 1982, Surgeon General C. Everette Koop, who was just here, issued a warning against hemp marijuana use. In February 1994, hemp marijuana was disallowed as a medicine by the U.S. Department of Health and Human Services, the National Institute of Health and the DEA, also, because it repeatedly failed to meet any of the criteria used by the FDA for an approved substance as a medicine.

"Finally, Mr. President, like many of our colleagues, I'm a Lions Club member and hopefully a good one. Lions Club International and the Lions of Hawaii are very successful in a positive prevention program in our schools, called Lions Quest. This program was a result of a worldwide survey in 1983 to determine the greatest concern facing mankind and what we can do about it. The answer was, our young people of the world and what drugs are doing to them.

"Mr. President, this is an insidious disease. And it's been said that 85 percent of the inmates in our prisons are there because of drugs. However, with proper education and prevention, problems with drugs can be mitigated to some degree. This Legislature can help to mitigate this drug problem by not enacting well-meaning legislation that will do more harm than good.

"So Mr. President, I urge my colleagues to vote 'no.' Why should we waste time and money on a product that has absolutely no proven quality. Instead, we should focus on commercial activities in Hawaii that are being done. Diversified ag can be an asset for our community. So today is the time to kill this dangerous bill. We should not get on this slippery slope. Stay off. Vote 'no.' Tomorrow is too late."

Senator Iwase rose in opposition to the measure and stated:

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

"Very briefly, Mr. President. We've heard all the arguments for and against -- the economic issue, the drug issue, the Abner Hale argument from the Senator from Waipahu -- 'God have mercy on your soul' argument.

"Mr. President, looking at this bill, it seems to me that it's premature. It says that you can allow this research to be conducted only when the Hawaii State Department of Public Safety, Narcotics Division, issues a controlled substance registration, and the United States Department of Justice, Drug Enforcement Administration, issues a federally-controlled substance registration. By the fact that those two registrations are required, clearly indicates that this plant and what is going to be produced is in fact a drug -- a controlled substance drug, an illegal drug.

"So therefore, it seems to me that rather than us having to go through this whole debate about whether or not this is or is not a drug, whether this is or is not bad for the drug war and whether we've lost the drug war, whether or not this is or is not bad economically so we should have research, we should get these departments to tell us that these registration certificates would be issued -- in fact, are issued -- and that the research can proceed in Hawaii with the approval of the Legislature. At this point in time, we don't have that.

"We have all this debate, and like I said, Mr. President, I think it's premature. We don't need this bill at this point in time. And clearly, even if we passed it, it would need federal approval and I don't know if the federal government has given approval anywhere, which means we've gone through this whole debate and exercise over the last 20 minutes for nothing.

"Thank you."

Senator Anderson rose to support the measure as follows:

"Mr. President, I'll be voting for the bill.

"My understanding of federal government is, as long as they don't have any laws or they're opposed to something, we have a right to pass our own bills.

"Let me tell you, I think that when we allow a privately funded research, that's fair and equitable -- on a quarter acre. We earlier passed an exchange of lands which, according to what I have here, is completely illegal according to our laws. But we exchanged them because you folks thought that was great. That can be challenged in court, I guess. But this is privately funded. This doesn't give someone a chance to go and find an investor. This one here, this person already found someone to do the research and pay for it on a quarter acre of land.

"I told you the other day, or I told some of the people in committee, liquor used to be illegal. We made a law that made it permissible. Nobody's ever come up with let's get rid of that law. They want to just tax it more. That's the only problem.

"How many of you here would have voted to allow marijuana for medical purposes? If that was on before you, you would have allowed it. Maybe Senator Kawamoto and a couple of others wouldn't, but it would have passed. Everything that we heard in Judiciary, we had maybe 20 that I can count, 20 different things that were brought in from different parts of countries that were made with hemp. I was not really opposed, but I had some reservations on hemp until we did more research. I can remember when Representative Tarnas first brought forth this idea. I read everything that I could. I didn't think it was a bad idea. And to have a study, I think is a very good idea. Most of you come from good plantation areas. I did in Waimanalo. When I went to school, plantation was working. I said the other day we had the highest paid plantation workers in the world. Today we have the highest paid unemployed plantation workers in the world.

"This is to help put people back to work if it's a good product. There's all different kinds of by-products that you can get from hemp. I also explained the other day one of the by-products we used to have for sugar was canec. I just removed a 50-something year old ceiling made from canec. It was a good by-product. With scientific studies it would probably be as good as what we have today called dry-wall. But we put them out of business -- a by-product that would have been great.

"We need to help, as much as possible, our people move forward. Now, the good Senator from Waipahu said we're the first that's going to be doing this. Now, if they want to push something, I always hear the Majority say, 'This is going to be the first. Our state is going to be a leader. It's a class act.' But when you want to kill something, 'Oh, we're going to be the first to ever introduce this kind of bill. It should not move.' I'm never sure what you folks want to do -- be the first because it's good, or if you want to kill it, we're going to be the first because it's bad. It all depends on how you write, how you raise your voice and how you drop it.

"We're here to see if we can move something that's fair and equitable for agriculture. It doesn't say for drugs. I'm opposed to drugs. But this was brought out in the hearing that there was a vast difference and it's going to be under all kinds of scrutiny. And I've said the police department and others may be against it, but once it's passed, then they would have to make sure that others don't take advantage and misuse the law that we make a law that's equitable for everyone in the Department of Ag.

"So I would hope that you would look at this in a very fair way that's something that's not going to cost you because the taxpayers aren't paying for it. A private individual is. And I have to give credit to a representative that goes out and finds something who's willing to put their money up if we will

provide the necessary tool for them, not somebody who says, 'We want an exchange of land, however, we don't have the investor right now. Later on we'll come forth with one.' And you say, 'That's a good idea. It's going to help the economy, \$2 million, construction.' It's all right to help one group but not the other. And that's not fair.

"So I'll be voting for this regardless of who put it in, why they put it in, as long as it's going to help our people, I think it's fair and equitable.

"Thank you."

Senator Matsuura rose in opposition to the measure as follows:

"Mr. President, fellow colleagues, I kind of find it a little bit ironic that I'm standing in opposition to this bill since this research money, as everybody touts on, will be coming to my district. This is an economic development project for my district or our island. The sponsoring Representative is the Representative from Hilo, and as some of you may know, I was the sponsor of the companion Senate bill. (Laughter.) But after being much lobbied and much researched on this project, especially what really changed my mind and why I am standing up in opposition is, after 4 hours of testimony in Hilo with the House Committee on Agriculture in Hilo, it really proved to me that this is not a viable crop.

"What I want to concentrate right here on is that this is truly an economic development . . . it is being pushed as an economic development project crop. All the testimony in favor of it was from the people who are using it. And all of them were very consistent. They obtained the raw material from China. And I do not know any agricultural business that can compete on a raw product using a raw material with a third world country. Why do they want to spend \$200,000 in Hawaii when our land base is so small compared to any of these third world countries? I'm not really quite sure.

"Two hundred dollars an acre, as my fellow Senator from Hamakua said . . . orchids, what I'm growing, we gross over \$30,000 an acre. That is one crop. Anthuriums is something similar. We have other crops. We have a lot of other crops that we can investigate and put money into that would greatly help our economy and not have all these other problems that this crop has.

"Another one of the things that I want to address, for my colleague from Hawaii Kai, is that this is Cannabis sativa. This is the same product, so it is a drug.

"As many of you know, a Maui onion is a Texas round onion. But what makes it so great is our environment, our tropical environment and our growing conditions. From people that I have talked to within the drug enforcement, this Cannabis sativa will turn into the high value, the high THC illegal crop, not into this fibrous crop that supposedly is used in various products.

"I'm not against all of it. There is a worldwide use for hemp. However, after consulting with also the largest landowners within our island -- Brewer Industries and Bishop Estate -- they have no intention and they will not grow this crop. So we do not have the land for it. We do not have the ability to grow it, and financially, I don't think this is a viable crop for Hawaii. And with all the related problems, legally, the drug-related problems, I think that maybe we should extend more of our efforts to other crops that show more potential.

"Thank you."

Senator Hanabusa rose to speak against the measure as follows:

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

"I'd like to thank my colleagues -- the Senator from North Hilo, the Senator from East Maui and the Senator from Palolo-Waialae -- for all their hard work on this bill. And I also believe that we must recognize the Representative from the Windward side who should really give registered lobbyists a lesson on how to lobby. She's done a very good job on this bill.

"My opposition follows what the Senator from Kaneohe stated earlier, when he was speaking in opposition to the education bill, that is, What are we going to stand for? Mr. President, you and I had a passing discussion about how people remember us for the oddest things. It is my belief that they may remember us for the hemp bill. And that's not a message that I want and neither is it a message that I wish to validate.

"This bill does make a correct statement as to: how we view economic development, how we view the use of public funds, and really, how we define our future. And this bill is full of contradictions. Let's look at it. The first question which the Senator from God's country, as well as Moanalua, raised, was whether or not this is drug related. Is it pakalolo or is it not? We're being told it's not pakalolo. It's definitely not pakalolo. But look at the bill. Look at what it says. It's trying to define industrial hemp. This is because industrial hemp doesn't exist. We don't know, as our colleague from Hilo said, whether due to tropical conditions it will flourish into pakalolo, no matter what anyone does.

"Look also at what the bill calls for. The bill calls for the Department of Justice, DEA, to issue a registration of research. It calls for the Department of Public Safety to issue a controlled substance registration. The bill also requires that there be monitoring, basically, by the Department of Public Safety in cooperation with the DEA and the appropriate county law enforcement agencies. Colleagues, that's a cost item. Who's going to pay for that? And if this is such a wonderful product, why are we having to monitor it? Why do we need to know whether the THC reaches '.3%' It's because at that point it is pakalolo.

"My colleague from Hawaii Kai who hates special funds, I think that if there is any evidence of where a special fund may be necessary, it's here. The people who proposed this crop can pay for the additional costs for the Department of Public Safety, for DEA, as well as for the respective county agencies.

"Let's look at it in terms of economic development and what does it say. We already talked about the cost of monitoring. What kind of economic development are we talking about here? We have spoken about technology. We have said that's the way we want to go. We have spoken about ecotourism. We speak about the environment. We speak about wanting to have agriculture developed in a way that it is environmentally sensitive. Here we have a product that can deposit a foreign substance into our economy and into our agriculture base. Do we want to do that?

"And hemp is like my colleague from Hawaii Kai said -- it's not a new product. He mentioned Thomas Jefferson and the fact that he wrote on hemp and he wore hemp, and he went on and on. Yes, hemp was in the United States and it was pretty active until the 1600s. What's the significance of that? They lost slavery, and therefore it became an uneconomical crop. Hemp is a labor intensive crop. That's probably why Thomas Jefferson could do it and we haven't heard about anyone subsequent to that wearing hemp or writing on hemp.

"Now, we've also had reports. We've seen it in the committee reports that 30 countries are growing it. We've heard our colleague from Hilo say 20 countries are doing it. If that's the case, why do we have to do it? Why Hawaii? Why do we need to create this plant? -- a plant that if it doesn't work, we definitely don't want it here.

"What's really troubling, colleagues, is the fact that I see this bill as a request for us to validate something. If this is a measure that requires the DEA to give a permit or give permission, then let them go to the DEA. Why do we have to intervene? That's not necessary. This is not a message that we want to send to the public, because when we talk about economic development, colleagues, we talk about it responsibly. We talk about it knowing that there is a potential and there is a future. If we wanted industrial hemp and if we believed that this was not a product that would cause us any problems with federal agencies or all of our law enforcement agencies, why does this bill have the conditions in it? If we believe in it, then we should stand behind it, not put onerous conditions on it. But the reason the onerous conditions are there is because we don't know what kind of product we're going to get.

"Colleagues, I'm voting in opposition and I ask you to do the same because we should not be the guinea pig. If we're going to do anything, we should have some sort of assurance of success. And my learned colleague from Hilo, if there's anything I will always defer to him on, it's agriculture. If he says that this is not a viable crop and probably what's going to happen is we're going to have a very high level potency, I am more inclined to believe someone who has the experience than someone who does not.

"Colleagues, I believe this is a bad bill. It sends a bad message and we should vote it down.

"Thank you, Mr. President."

Senator Matsunaga rose to speak in support of the measure and said:

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

"First of all, Mr. President, I applaud the anti-drug efforts of the Senator from Waipahu and let me assure him that I still hold him in the highest esteem. I simply disagree with him that this issue has anything to do about harmful drugs.

"Mr. President, one of our late colleagues used to always stand up and talk about the common sense law, and when something didn't meet the common sense law, he used to criticize it, and oftentimes he'd be the only voice criticizing a bill or a measure.

"I think it's appropriate to dispel some of the myths about industrial hemp, which is presently cultivated, as people have said, in over 30 countries for use in making building and clothing materials and personal care products. And I think the Economic Development chair has done a very good job of addressing the positive economic development aspects of this crop, which would further diversify our agricultural industry and allow us to compete in a global marketplace.

"First of all, myth number one -- I've heard that some people fear that we will be endorsing the production of marijuana by passing this bill. That's simply not true. Industrial hemp is a non-intoxicating form of cannabis with 3/10 of 1 percent of the controlled substance THC. It is physically and chemically distinguishable from its intoxicating cousin, marijuana, which is cultivated at about 18 percent THC or higher.

"I understand that hemp is tall and unbranched and cane-like, as the Senator from Hawaii Kai has stated, about 8 feet and taller, whereas marijuana is short, branched and bushy, only a few feet tall. The plants are grown differently, as well. Hemp is spaced only a few inches apart in the field, and marijuana is spaced several feet apart for maximum exposure to the sun to produce a large, leafy plant with abundant branches containing numerous flowers. Thus, hemp is of little or no interest to drug dealers. Police and growers in those 30 countries do not report pilfering of field materials. Law enforcement officials in these

countries have no difficulty distinguishing between hemp and marijuana in the field.

"Mr. President, mistaking marijuana for industrial hemp would be like mistaking Danny Glover for Danny DeVito or Penny Hardaway for Penny Marshall, or Arnold Schwarzenegger for Arnold the pig. It simply doesn't make sense, Mr. President.

"Myth number two -- I've heard that this is a Republican measure and therefore we shouldn't support it. First of all, 19 of the 21 co-sponsors of the measure are Democrats including the chairs of the Health, Judiciary and Finance Committees of our House colleagues. Further, regarding Republican issues, believe it or not members, some good ideas actually do come out of our Republican dynamic duo over there, and need I remind us that it was a Republican, Representative Barbara Marumoto, who spearheaded the measure of limiting passengers from riding in the back of pickup trucks. So, to simply not support a bill because it may have come from Republicans, it just doesn't make sense.

"Myth number three -- I've heard that bad people, such as marijuana growers and those who want to legalize it, support this measure. Again, we don't have evidence of this in our committee. Not one of the people who supported, for example, medicinal marijuana, contacted us or submitted testimony in support of this measure, and we had about 100 people contacting us on that measure. In fact, the marijuana growers would likely be opposed to this measure because industrial hemp, if cross-pollinated with marijuana, taints and reduces the THC level in the marijuana plants. And besides, not all bad people support bad ideas. One of our favorite antagonists, Fidel Castro, loves baseball; and Larry Flint was a strong supporter of First Amendment rights, Mr. President. You don't oppose a good bill because bad people support it.

"Myth number four, Mr. President -- I've heard that the law enforcement community is unanimously opposed to this measure. Again, this is not true. While we have received testimony in opposition from three members of the Law Enforcement Coalition, the Law Enforcement Coalition did not take an official position on this measure. The Department of Justice did not oppose this measure. The County Prosecutor from Kauai did not oppose this measure. The County Prosecutor from Maui did not oppose this measure. The County Prosecutor from the Big Island did not oppose this measure. The Department of Public Safety did not oppose this measure. And we did not hear from the Attorney General, either. Mr. President, to compare that to another issue, for example gambling, they all came out in full opposition to that measure.

"Mr. President and members, if we are truly concerned about substance abuse, let's focus on the real problems we have with alcohol and tobacco use amongst our young people. If we are really concerned about illegal drugs, let's focus on fighting the use of crystal methamphetamine, crack cocaine, and the intoxicating form of marijuana. Let's focus on measures that provide funds for substance abuse treatment and education and prevention programs aimed at our youth.

"Let's not be diverted from our efforts to support economic development by myths about industrial hemp. Through this measure, we are being asked to support a quarter acre research project which will be the most scrutinized piece of property in the State. Federal, state and local law enforcement agencies will be monitoring the site per both federal and state laws. Trying to grow marijuana within this proposed quarter acre research project would be like trying to sell marijuana brownies at a SHOPO bake sale, or it would be like trying to hold up your parole officer. Mr. President, it just doesn't make sense.

"We don't prohibit poppy seed muffins because they come from the same plant as opium poppy. We don't prohibit the carrying of baking soda in a plastic baggie because it can be

confused for cocaine. We don't prohibit farmers from having roosters because they can be trained as fighting cocks. And we shouldn't prohibit a quarter acre legitimate research project with a potential for economic diversification and competition within a global marketplace because of myths and unfounded fears. It just doesn't make sense, Mr. President.

"And finally, I'd like to leave you all with a poem:

I once knew a man, not too bright,
Smoked industrial hemp, day and night,
Till he said with a sigh,
This stuff won't get me high,
So he built products sturdy and light.'

"Thank you, Mr. President."

Senator Chumbley also rose to support the bill and said:

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

"Colleagues, this is not about drugs. And Mr. President, I'm not for drugs, and colleagues, I think you know that. In the last five years that I've sat as either a chair or a member of the Judiciary Committee, my record supports that. I am against drugs. But this bill is not about drugs, or have I said that, Mr. President.

"One of the things that I think this is about is biotechnology. Seiji Naya, in his testimony before our committee, submitted a statement in the February 1999 issue of Ag Fiber Technology News. The publication notes, 'Hawaii's bill will probably pass and could lead to the emergence of Hawaii as a prime seed development and research area.' Mr. President, that's about biotechnology. This is not about commercialization. We are not legalizing hemp for commercial purposes.

"And for those colleagues who want it to be the first in the nation, I hate to disappoint you but there's a press release out this morning -- 'North Dakota poised to become the first state to legalize industrial hemp. Several U.S. states have been competing to become first to re-commercialize industrial hemp. North Dakota looks to be the winner. A bill in North Dakota now awaiting the governor's signature declares "Any person in this state may plant, grow, harvest, possess, process, sell and buy industrial hemp after complying with licensing procedures.' This House bill, H.B. No. 1428, passed yesterday in the Senate on a landslide vote of 44 to 3 and just a few days before in the North Dakota House on an 86 to 7 vote.

"They're going to commercialization; we're talking a 10,000 square foot research project, DEA permitted, Department of Public Safety permitted, and also monitored by the local law enforcement agency. We're not talking about drugs, here. We're talking about biotechnology.

"I ask all my colleagues to please consider support for this measure, and if you have concerns, I think any reasonable person, when you explain to them what it's about, will understand that you too do not support drugs.

"Thank you."

Senator Kawamoto then stated:

"Just a short rebuttal, Mr. President. I was called by Major Carvalho, Deputy Chief of the Honolulu Police Department. Again, I've known this gentleman for many years and his interest was deeply involved with the trafficking of drugs and concern of this bill. The rationale . . . I asked him how come they haven't really fully come out for that. They said they expanded all they could in the House side of this Legislature.

"As you know, when we introduced or entertained the gambling bill, we were the first, and that's why they came out. But to say that they weren't there, maybe they weren't there at

our Judiciary, but they were there at the House Judiciary. I had the opportunity to be one of the first people to go through the Citizens' Police Academy. It was a 15-week training and someday I hope that I can nominate the co-chairs for Judiciary to attend that class and understand what the police have to go through. We can do that.

"Thank you very much."

Senator Anderson rose and said:

"Mr. President, slight rebuttal or really some information.

"I keep forgetting districts, but our Senator from Maui and the other one from Palolo or Kaimuki, I believe they could give a little background on the Big Island where we have a substance that's really a drug plant, which is the cocoa plant. And it has the same specifications, scrutiny, from the testimony we got the other day. And that's more of a drug than this one is.

"And also, as far as it being a Republican bill, I want you to know that when I was in the House, it was on Saturday afternoon, Representative John Medeiros at that time and myself happened to be in a hearing that Representative David Hagino was doing. We voted and were speaking against the bill. He called a recess and took us out and he said that's a Republican bill. And we said, 'Well, it's a little too late now. We already talked against it so we're going to vote no.' See, we don't look at the end to find out who put it in. Is it a friend, a foe, or whatever? It was a bill that took away the rights of people, so we voted against it. And that's what I'm trying to get everybody to realize.

"You know, 2 to 23 makes it rather ridiculous to all of a sudden say that it's a Republican bill so it's 'no.' If it's good for what we're doing, Mr. President, I would hope that we could move forward on the basis of the bill, rather on the basis of political parties.

"And I do thank the two chairmen. In fact, if I may, Mr. President, I'd like to have Senator Matsunaga's words put in the Journal as though they were my own, including his little pun at the end.

"Thank you very much."

Senator Sakamoto rose again and stated:

"Mr. President, I know proponents say it's only a quarter acre, but we're here to deal with our future. Let's say that the proponents prevail, and let's say the quarter acre prevails, and let's say that the DEA, after scrutiny, allows this, and let's say the crop is a good crop. Let's say it's better than the North Dakota crop. Then what? Then what? Then we say, 'Oh, a quarter acre works. In fact, why don't we do 40 acres? In fact, why don't we do 640 acres? In fact, why don't we let everyone grow their own crop? The poor farmers of Hamakua need crops. Let them grow hemp!'

"Now, Ka'u guys might say we want to grow it too. So what do we create? Quarter acre plots experimental in everybody's backyard. And you can say, when they grow 8 feet tall, 16 feet tall, 48 feet tall, sure. You can say we're going to control the seed -- sure! Who? This is ridiculous! Where are we going? Who says we can compete with China and who the heck says we're going to compete with North Dakota? Crazy!"

Senator Slom also rose again and said:

"Mr. President, are we still on the same bill?"

"This is really great. And the interesting thing is, when we take this vote, you know when they talk about strange bedfellows and all that, it's going to be terrific. But I've heard things today that I've never heard before.

"First we were told that this crop was not going to be viable. Now we're told that it could be so successfully viable that we're going to stop the farmers from growing it. Now, farmers will only grow something if they can make money and if they think it's valuable. I agree with what was said earlier -- let the farmers decide and all of that.

"Then, I never thought, Mr. President, I would hear a Democratic colleague, especially one from beautiful Waianae where they don't have rock roads, complain that we can't have an economic alternative because quote, 'It would be too labor intensive.' My God! Here we are talking about trying to create more jobs and everything else and now the Majority party members, some of them, are saying that we don't want this because it could be too labor intensive.

"I remind our colleagues again, the seed that is brought in here is sterilized seed, so it's not going to create anything else; it's not going to germinate; it's not going to do any of those other things.

"I would like to have other crops and other options too. But where are they? Where are they? Where are the people that have offered other crops and other options? Where are the investors? Here we have a private investor. Here we have a specific crop. Here we have somebody who thinks that they can make money and can do it. And they may be wrong, but it's their nickel.

"And I guess finally . . . oh, two things. We talk about technology. If we really want to talk about technology, the most technology that our country and the world has ever seen has come out of agriculture, agricultural products and diversification.

"But finally, I think we should ask ourselves since, Mr. President, as you know, the Governor and I are like that. (Laughter.) The Governor owns and, I am told, wears two industrial hemp aloha shirts. I want to know and I think we should investigate whether or not he got those shirts as a result of the international drug cartel. (Laughter.)

"Let's be serious, as has been said. Let's be rational, as has been said. And I would much prefer if we had battled over tax bills and over the budget and all of those other things, but we're not. We're battling over this. And what it shows is, we don't have the capacity in this building to allow the free market to work and to allow entrepreneurs to risk their own funds and to do things differently. Let's give it a chance. I don't want to be the poster boy for industrial hemp, but on the other hand, I don't want to be the person that always says we had an opportunity and yet again Hawaii said no.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1574 was adopted and H.B. No. 32, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Buen, Bunda, Chun, Hanabusa, M. Ige, Iwase, Kawamoto, Matsuura, Nakata, Sakamoto, Tam, Tanaka).

Stand. Com. Rep. No. 1577 (H.B. No. 294, H.D. 1, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1577 be adopted and H.B. No. 294, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsuunaga.

Senator Chumbley rose and said:

"Mr. President, I rise in support of the bill and I have some written comments to be inserted into the Journal. Thank you."

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

"Mr. President, although First Amendment rights may be implicated by the restrictions on the distribution of tobacco promotional products and materials, the State has a compelling interest in reducing illegal sales of tobacco products to minors -- **PROTECTING THE HEALTH AND SAFETY OF OUR YOUTHS**. Because promotional items are all too often used to deliver a selling message to children, and because there is no way to limit the distribution of these products to only adults, such products may be permissibly banned without offending the First Amendment (Commercial Speech).

- 3,000 children become regular smokers every day; that amounts to 1,000,000 per year.
- Over 80 percent of adult smokers started when they were children or adolescents; virtually no one over the age of 21 becomes a tobacco user.
- 30 percent of kids aged 12-17 years old, both smokers and non-smokers own at least one tobacco promotional item such as t-shirts, backpacks, or CD players. These items turn kids into 'walking tobacco billboards,' bringing tobacco advertising into places such as schools where tobacco advertising would otherwise not exist.
- Tobacco companies annual spending on promotional items quadrupled, from \$184 million to \$756 million in just two years from 1991-1993.
- The distribution of brand name promotional items is a major component of the tobacco industry's marketing strategy. The industry spends over \$600 million annually distributing such products.
- The public overwhelmingly supports restrictions on tobacco advertising. 83 percent of adults believe that images such as Joe Camel should not be in magazines read by kids. 78.7 percent believe that advertising such as the Marlboro Cowboy on t-shirts, hats, backpacks, etc. used by kids should be banned.

"Mr. President, for all the above reasons I urge all my colleagues to support this measure."

Senator Sakamoto rose to speak in favor of the measure with reservations:

"Mr. President, I rise in support with reservations.

"Certainly, there was a tobacco bill before us and that bill was a little better, but this one, you know, nobody likes tobacco as far as its harmful effects on our young people. However, the reservations are because this bill is too broad.

"This is yet another example of big brother trying to help little brother. And I understand the purpose. Our young people are everywhere -- in our schools, public and private, on the streets, buses, businesses, concerts, athletic activities. So what's next? This bill says 1,000 feet. Maybe it will be 2,000 feet, maybe 1 mile. What's next? Soda water? Chewing gum? Tight jeans? You know, what have you. Hemp pants? (Laughter.)

"I vote with reservations, Mr. President."

Senator Slom then added:

"Mr. President, after that passionate display from the Senator from Moanalua, I must vote with reservations also."

The Chair so ordered.

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1577 was adopted and H.B. No. 294, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1578 (H.B. No. 1073, H.D. 1, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1578 be adopted and H.B. No. 1073, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak with reservations on the measure and said:

"Mr. President, I rise with reservations on this measure.

"I support the committee's efforts to protect the public and prevent telemarketing fraud. It's especially important that we protect the vulnerable members of our society that are being victimized by criminals operating fraudulent telemarketing schemes.

"However, Mr. President, we must remember that telemarketing, in and by itself, is not illegal. It's a marketing and promotional tool utilized by many legitimate businesses. Even if we find some of them irritating or inconvenient, we should not be criminalizing them. For example, this measure would criminalize the use of an auto dialer to initiate outbound calls resulting in a call abandonment rate of greater than 5 percent. Now, what does that mean and how would we predict an abandonment rate prior to calling? Why should that be illegal, Mr. President? So I have reservations.

"Thank you."

Senator Slom rose to speak on the measure with reservations:

"Mr. President, I, too, have reservations for many of the same reasons that the good Senator from Moanalua mentioned, plus the fact that in this bill it defines an abusive practice as allowing the telephone to ring 7 times. I want to know, Mr. President, who's going to be counting the rings? The person on the receiving end or the person on the calling end or is it going to be labor intensive so we have a ring counter for this. This bill is much too broad.

"Thank you, Mr. President."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose to oppose the measure as follows:

"Mr. President, I'm going to be voting 'no' on this particular bill, and I did so in committee because there was no proof that there was any fraud at this time. They said there might be later on and also that they were going to be helping to protect the elderly because they were more inclined to be the ones that were going to be, I guess, abused and smooth talked into telemarketing fraud.

"I think that as a senior citizen I'm as well educated as the rest that I do not have to accept something if I don't want to. And why should we go ahead and put a bill when there is no fraud at this time? There hasn't been any reason to even think we're going to have fraud, but they're anticipating. All the studies that they have done, I guess, it might be in the future.

They're not sure when. But it is something that we don't need. It's just another bill, so I will be voting 'no.'

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1578 was adopted and H.B. No. 1073, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Anderson). Excused, 2 (M. Ige, Matsuura).

H.B. No. 996:

Senator Chumbley moved that H.B. No. 996, 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 the bill.

"I think we have seen a steady progression of turning out the lights, blinding the sunshine in our meetings, and we're giving too many exceptions to those meetings that do not have to follow the State sunshine law. And I think that the decision here to allow the Board wider discretion in determining what can be kept private is not a good move. Those of us that have kept up with this issue over a number of years have seen that even though we have laws on the books, we probably have less access now than we've ever had before. So, I'll vote 'no' on the bill."

Senator Tam requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Matsuura).

H.B. No. 642, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 642, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," was recommitted to the Committee on Commerce and Consumer Protection.

Stand. Com. Rep. No. 1582 (H.B. No. 753, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Buen and carried, Stand. Com. Rep. No. 1582 was adopted and H.B. No. 753, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Matsuura).

Stand. Com. Rep. No. 1583 (H.B. No. 989, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1583 be adopted and H.B. No. 989, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1583 was adopted and H.B. No. 989, H.D. 1, S.D. 2, 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, 22. Noes, 1 (Anderson). Excused, 2 (Levin, Matsuura).

Stand. Com. Rep. No. 1584 (H.B. No. 1017, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Buen and carried, Stand. Com. Rep. No. 1584 was adopted and H.B. No. 1017, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Matsuura).

Stand. Com. Rep. No. 1585 (H.B. No. 8, H.D. 1, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1585 be adopted and H.B. No. 8, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1585 was adopted and H.B. No. 8, 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, 23. Noes, none. Excused, 2 (Levin, Matsuura).

Stand. Com. Rep. No. 1588 (H.B. No. 1080, H.D. 2, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1588 was adopted and H.B. No. 1080, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Matsuura).

Stand. Com. Rep. No. 1589 (H.B. No. 1111, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1589 be adopted and H.B. No. 1111, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Tam rose in opposition to the measure and stated:

"Mr. President, I'm voting 'no' on this bill for two reasons. Number one, the State of Hawaii already has provisions and guidelines in regards to lawsuits. Number two, this bill desired by the state administration and private sector displays the lack of self confidence and unwillingness to take care of the Y2K problem.

"Thank you."

Senator Nakata rose to speak against the measure and said:

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

"I believe that with this bill we are immunizing those who are most able to protect themselves and take on the computer manufacturers who have created the problem, and at the same time we are taking away the rights of those who are least able to defend themselves.

"Thank you."

Senator Chumbley rose and said:

"Mr. President, I do have written comments in support of the measure and I'd like to have them inserted into the Journal."

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

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

"How is the Y2K bill ok for the consumer?"

"Private section: The basis effect of this bill is not 'immunity' -- more accurately, it is a codification of how the negligence standard applies in the Y2K area. This bill will not prevent consumers from recovering for Y2K injuries. In fact, it will even allow them to recover out-of-pocket costs when a defendant was not 'negligent' -- it took all the steps that were commercially reasonable, on time, but there was a problem anyway -- which is more than a consumer might get without the bill.

- So why are businesses behind this? Because it will provide greater certainty about what steps they need to take to not be at fault. In other words, they want a clearer definition of what they need to do to avoid being at fault. That will insulate them from liability only in the sense that if they follow all the remediation steps in timely fashion, they know they're not likely to be liable for any incident that occurs.
- Where there were 'tort reform' type provisions in the bill that could operate in an anti-plaintiff way, the committee took them out. This includes a cap on non-economic damages, an exclusion from joint and several liability, and a provision limiting the circumstances in which punitive damages could be awarded.
- The Alternative Dispute Resolutions in this draft of the bill allow for greater flexibility, and thus will help consumers and businesses both determine a form of ADR appropriate to the case. Instead of having a mandatory arbitration provision similar to the CAAP program, when a Y2K case is filed, as soon as all the pleadings are finished (complaint, answer, counterclaim, etc.) the parties will meet with a judge and try to come up with a form of ADR that works for them all. That might be mediation, one of the many forms of arbitration, minitrial, or whatever the parties think will work best for them. Parties may also choose to remain in the court system. This is expected to help these cases reach conclusion considerably faster than the average court case. Of course, parties can always choose to use ADR from the beginning without ever filing a court case; the ADR provision simply helps those who do start out in court to get together and figure out an appropriate method of ADR.
- This draft excludes software and hardware manufacturers from the coverage of the bill. While it may be confusing to have potentially different standards applicable to different parties in a complex case, excluding software and hardware manufacturers should reassure those who are concerned that a Microsoft will somehow get an easy escape from liability through this bill.
- In a final effort to help consumers, this draft of the bill includes a provision barring creditors and credit reporting

companies from reporting negative credit information about consumers resulting from Y2K problems. This would be the most likely negative outcome from Y2K hang-ups in financial transactions.

"Public section: The public section of the bill provides the government with qualified immunity, not absolute immunity, for Y2K errors caused by government computer systems.

- Thus, a person can recover against the government for gross negligence (actions in good faith aren't gross negligence). So the bill will not cut off an injured person from recovery against the government where someone in the government screwed up big time; but it will help protect the State's financial resources by preventing the government from having to argue the case where the government might or might not have screwed up in a small way. The government has an actual immunity, unlike the private sector, but it's still a limited immunity.
- An individual (or the State) can still sue a software or hardware manufacturer or supplier who supplied the computer system to the government.

"How will this apply in the real world?"

"A selection of hypotheticals:

"Mom and Pop Store v. Everyone Responsible for the Accounting and Register Systems.

"Mom and Pop store had (1) failure of its accounting and check-making software, resulting in late payments to suppliers and trouble for store, and (2) failure of its credit card readers and cash registers. They blame Computer Village, which sold the accounting software, and NCR, which sold the credit card readers and cash registers.

"So, Mom and Pop file their lawsuit, and Computer Village brings in Evilsoft, which made the software, and Hell Computer Corporation, which provided the computers it ran on. Evilsoft's, Hell Computer's, and NCR's liability aren't affected by the Act. Computer Village's liability falls under the act.

"Whether the parties use ADR or stay in court,** Computer Village's liability will be determined by the Act. So, the question will be, did it take timely, commercially reasonable steps? In this case, it probably did. Computer Village would not have been able to do much about the Evilsoft software (it couldn't unilaterally change the code). Perhaps it reasonably relied on Evilsoft representations that the software was Y2K compliant and sold it on that understanding. If Computer Village took commercially reasonable steps, then Mom and Pop can still get the price of the software and the fee they paid to a computer guru to come in and fix the bug (their out-of-pocket costs) from Computer Village. Against Evilsoft, Hell, and NCR, their claim will proceed under current liability principles (probably product liability, negligence, and breach of contract).

** How do they decide whether to use ADR? After the complaint, answer, 3rd party complaint and answer, and any counterclaims, are all filed, all the parties meet with a judge to try to put the case into alternative dispute resolution. This is very early in the lawsuit, so the parties have not spent much on attorney fees yet. Now they can decide what form of ADR will work best in this situation, and move into ADR to resolve the dispute quicker. Or, if they prefer, they may stay in court.

"Small-time Contractor v. Supplier.

"Jane Q. Contractor does work at less than \$1,000 a job -- no contractor license. She specializes in building walls. Despite the bad economy, Y2K paranoia has led many people to contract for her services and she has orders for walls to be built through March 2000. A Y2K problem at Aloha Cement, one of her suppliers, messes up her supply line. Aloha Cement is

focused on getting cement to its bigger customers and Jane doesn't get new cement supplies until late February. By then, she's long since run out of cement and has had to cancel or delay a bunch of contracts, exposing her to lawsuits and disgruntled customers.

"The issue between Jane and Aloha Cement will be whether Aloha took commercially reasonable steps. Let's say Aloha started looking into the problem early on, but it didn't do any tests of its Y2K fix until 2 weeks before the end of 1999. When the test showed a problem, all they could do was try to fix the new problem and cross their fingers. That was probably not a timely implementation of the steps, so Aloha's actions were probably not commercially reasonable. It looks like Aloha will be liable to Jane for all her damages, including her loss of business goodwill.

"Meanwhile, Aloha blames its Y2K problems on TechGods, the computer consultants it hired to help make sure its proprietary software was ready for Y2K. TechGods claims that because Aloha didn't hire it until it already was too late for TechGods to do a full fix considering its obligations to all its other clients, it was Aloha's own fault that the fix was not timely. If TechGods didn't do the remediation steps for Aloha in timely fashion, but Aloha was also untimely in when it hired TechGods, TechGods will be liable to Aloha for Aloha's damages (including the damages Aloha is having to pay to contractors like Jane), but the damages will be reduced to the degree that Aloha's own untimeliness caused the problem.

"Dead Patient's Family v. Hospital.

"Alii Hospital has been looking at the Y2K problem for several years, and has run tests of all its major systems. When the big odometer turns over, the power, the lights, the ICU machinery, all continues to work. But 7 years ago, the hospital gave Guy Make a pacemaker. It sent all its pacemaker patients a brochure asking them to come in for testing, but Guy Make had moved 3 times since the surgery and never got his. At the last stroke of midnight, his pacemaker turned itself off for 93 years and Mr. Make had a heart attack and died. Now the Make family is suing Alii for wrongful death.

"The issue between Alii and the Make family will be whether Alii took commercially reasonable steps to prevent the problem. This will be a tough call. If Alii did not take commercially reasonable steps, then the Makes can recover all their damages, including the pain and suffering (non-economic damages) they're claiming. (Although, if Guy Make was unreasonable in failing to ask anyone about whether his pacemaker could have a Y2K problem, the recovery might be reduced by the degree of his responsibility.) If Alii did take commercially reasonable steps (which is like saying Alii was not negligent), then the Makes can recover only out-of-pocket costs (the funeral expenses?).

"Alii will probably bring in the pacemaker manufacturer, and the Makes may well sue the pacemaker-maker too. Assuming the pacemaker-maker qualifies as a software or hardware manufacturer, liability won't be determined by the Act. Alii and the Makes can base their claims on strict product liability (probably arguing that the pacemaker had a defective design). Perhaps they can all reach an early settlement through mediation.

"The Famous Traffic Light Case.

"Let's assume the 4-way green light so frequently mentioned does, in fact, happen due to a Y2K failure in a government computer, causing a car crash with car damage and soft tissue injuries to the drivers and passengers. Can they all sue each other? Yes, sure -- they're not the government or government employees, but the error was caused by a government computer, so their claims against each other won't be governed by either the public or the private sections of the Act. Can they sue the government? Yes, but they won't win unless the

government was grossly negligent -- in other words, the government screwed up, and badly, in its efforts (or lack of efforts) to find and fix the potential problem. Can they, and the government, sue the company that supplied the traffic-light timing software and the hardware it ran on? Yes, using whatever legal basis would apply under current law. Claims against hardware and software manufacturers and suppliers are excepted from the public section of the Act."

Senator Kanno then said:

"Mr. President, please note my reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1589 was adopted and H.B. No. 1111, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Anderson, Buen, Hanabusa, M. Ige, Nakata, Slom, Tam). Excused, 1 (Matsuura).

Stand. Com. Rep. No. 1592 (H.B. No. 1636, H.D. 2, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 1592 be adopted and H.B. No. 1636, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1592 was adopted and H.B. No. 1636, H.D. 2, S.D. 1, 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 (Matsuura).

Stand. Com. Rep. No. 1593 (H.B. No. 336, H.D. 1, S.D. 1):

Senator Levin moved that Stand. Com. Rep. No. 1593 be adopted and H.B. No. 336, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1593 was adopted and H.B. No. 336, H.D. 1, S.D. 1, 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, 22. Noes, 1 (M. Ige). Excused, 2 (Fukunaga, Matsuura).

Stand. Com. Rep. No. 1594 (H.B. No. 1183, H.D. 2, S.D. 2):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 1594 was adopted and H.B. No. 1183, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1037, S.D. 1:

On motion by Senator Levin, seconded by Senator Buen and carried, H.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1596 (H.B. No. 1593, H.D. 1, S.D. 2):

Senator Tam moved that Stand. Com. Rep. No. 1596 be adopted and H.B. No. 1593, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hanabusa.

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 is my second flank coming from the north. This is our second attempt to tell our second story, but it addresses really a crucial thing. It addresses state residents, state contractors, provides project labor for state contracts. It adds what the Senator from Hilo wanted -- the State's prison -- in there. It adds like projects for the State prison and the University of Hawaii West Oahu campus.

"It also adds a preference bill, Mr. President, and I have been very much in favor of this. Right in my backyard in Waipahu, I have a \$3 million sidewalk project and it was outbid by a Mainland contractor who has 80 percent of the people working on that contract from the Mainland. Mr. President, these are the kinds of things we're trying to protect.

"The preference bill goes to \$8 million and below projects. Again, we're trying to tell the big boys that although they are state residents, please leave these projects for truly the state contractors in Hawaii.

"Thank you."

Senator Chumbley rose to oppose the measure as follows:

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

"Mr. President and colleagues, this is my second attempt to tell the other side of the story and will do this from the south flank.

"Mr. President, since Boston Harbor, the most significant and successful legal challenges to union-only PLAs on public works have arisen under state competitive bidding laws. It is significant to note that in the only two states whose highest courts have examined public union-only requirements, both New Jersey and New York have held that under most circumstances, governmental union-only PLAs violate state competitive bidding laws.

"The New Jersey Supreme Court has acted twice to invalidate union-only PLAs. First, in George Harms Const. Co. v. New Jersey Turnpike Auth., the court struck down a PLA which mandated that all successful bidders sign agreements with a specified building trades union. The court held:

'The paramount policy of our public bidding laws fosters "unfettered competition" in public contracts; the effect of project-labor agreements is to lessen competition. . . . Our function is not to make the policy choice; our function is to assess whether the [government agency's] choice is consistent with the existing State public-bidding policy to foster competition.'

The court rejected the argument that the PLA permitted competition because bidding was 'open to all,' comparing the

situation to one in which the public entity arbitrarily imposed a bid requirement which favored a sole source provider.

"The New Jersey court reaffirmed and expanded its opinion in Tormee Construction, Inc. v. Mercer County Improvement Auth. There, the court observed:

'PLAs can violate the goals of competitive bidding. By mandating that workers belong to certain limited unions, PLAs restrict bidders to contractors with relationships with those unions. The obvious effect of such a restriction is to lessen competition.'

The court invalidated a PLA which would have required contractors to agree to sign union agreements (with any 'appropriate' union) as a condition of performing work on county courthouses.

"The only other state whose highest court has ruled on PLAs in the public sector is New York. There, the Court of Appeals issued a consolidated opinion reaching different results in deciding two PLA cases, in New York State Chapt. AGC v. New York State Thruway; and General Building Contractors v. Roswell Park Dormitory Authority. Properly construed, the New York court's joint holdings restrict PLAs to only the most extraordinary circumstances and prohibit PLAs in the most common public works settings.

"Finding that 'more than a rational basis must be shown' to support a PLA, the Court of Appeals held that a public agency operating under a competitive bidding law 'bears the burden of showing that the decision to enter into the PLA had as its purpose and likely effect the advancement of the interest embodied in the competitive bidding statutes.'

"Many cases have been filed around the country since these New Jersey and New York court decisions, but none has reached any definitive conclusion before the highest courts of any other state. The more persuasive judicial view thus remains that union-only PLAs are in derogation of fundamental policies underlying state competitive bidding laws, and they should not be sanctioned except in the most extraordinary circumstances.

"I have additional comments, Mr. President, that I'd like to have inserted into the Journal. But colleagues, again, this is just not a good public policy decision and I believe it takes us down the wrong path.

"Thank you."

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

"In response to the many legal and policy challenges to union-only PLAs, their advocates have presented a variety of rationales in support of such bidding restrictions. None of these justifications provides a valid basis for imposing union-only PLAs in the public sector.

"First, PLA advocates have contended that these agreements can reduce costs and increase efficiency when compared to union construction work which is conducted under a variety of different contracts and work rules. This argument applies only to situations where all or most of the performing contractors are in fact already unionized, as was frequently the case fifty years ago. There is no known study finding increased efficiency or lower costs when a union-only PLA is compared to a fully competitive, open, or mixed-use construction project. In addition, by forcing more efficient nonunion contractors to adopt wasteful and unfamiliar union work rules and practices, a union-only PLA deprives construction users of the demonstrated cost advantages of open-shop construction.

"Ironically, many union-only PLAs have been proposed in areas where the government projects are already subject to prevailing wage legislation, which are supposedly designed to

prevent nonunion contractors from undercutting their unionized competitors at the expense of employee salaries. Yet, even in these jurisdictions, open competition has been shown to result in cost savings, as compared to union-only requirements.

"Second, PLA supporters have claimed that PLAs are necessary in order to insure a steady supply of skilled or productive workers. This argument is impossible to support in a market where 80 percent of the industry is nonunion and where every type of large project, from industrial plants to stadiums, has been built on an open-shop basis over the last several decades. Similarly, OSHA workplace fatality statistics have shown, contrary to the claims of PLA supporters, that there is no safety advantage in union versus nonunion construction and that open-shop employees have suffered fewer fatalities.

"Finally, PLA advocates contend that union-only requirements are needed to maintain 'labor peace' and to avoid delays and disruption of construction timetables arising out of labor disputes. As one judge has correctly pointed out:

[A] determination to use a project labor agreement in order to avoid the costs associated with such activity smacks of acquiescence to extortion. It is no less opposite to the interests embodied in the competitive bidding statutes than would be the disqualification of an otherwise responsible bidder in order to lessen a threat of vandalism by an unsuccessful bidder."

Senator Chun rose in opposition to the measure and said:

"Mr. President, I stand in opposition to the bill.

"Mr. President, I voted in favor of the previous bill which included PLAs regarding federal contracts because I believe that in terms of getting an experiment done or a test case done, I think that might be a good place to start it. Mr. President, though, this bill goes beyond just a test case. This bill attempts to go into all state contracts.

"I agree with the problems. I agree that there are problems right now in our industry in regards to abuses by general contractors or employers which discriminate or which prevent our own workers over here from getting jobs. I don't disagree with that. I believe there are other ways, though, to take care of those problems. And I think without an adequate discussion as to what other methods we can use to take care of this problem, focusing on just one solution is not in the best interest of the people of this State.

"In fact, Mr. President, as I stated before, if the real problem stems from the lack of enforcement by our state government as far as the bidding requirements, as far as the GET, as far as doing work that are out of their classes, then why aren't we enforcing them? Why are we using a complicated methodology to try to solve a simple problem of getting our state workers to work better.

"I think if once we start going down that road, we start ignoring getting our own people to work better and start thinking of legislative fixes, which I think is one reason why our State is in the quandary we're in right now. We make things more and more complicated, as opposed to looking for the simple solution -- i.e., fix what is broken; do what is right; work the way we're supposed to work.

"So until we can have adequate discussions in terms of getting our employees to do the jobs that they're supposed to be doing, until we have those kinds of discussions, until we have explored all possible solutions which would be less costly and less divisive and less potentially unlawful, I think I cannot support this bill as it stands today, and ask my colleagues to vote against it.

"Thank you."

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

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

"Our message in regard to this bill is that this bill allows the State of Hawaii, through the procurement officer, in the construction of state facilities to use guidelines of safety and health, and fair pay and skilled workers. Also, to draw your attention, members and colleagues, that in the establishment of parameters for these guidelines that I mentioned, Chapter 91 will be used by the administration.

"Thank you."

Senator Taniguchi then stated:

"Mr. President, would you note my reservations to this measure."

The Chair so ordered.

Senators D. Ige and Chun Oakland then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1596 was adopted and H.B. No. 1593, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 9 (Anderson, Buen, Chumbley, Chun, Inouye, Matsunaga, Sakamoto, Slom, Tanaka). Excused, 2 (Fukunaga, Matsuura).

Stand. Com. Rep. No. 1597 (H.B. No. 159, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1597 be adopted and H.B. No. 159, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senators Slom and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1597 was adopted and H.B. No. 159, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1599 (H.B. No. 167, H.D. 3, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1599 be adopted and H.B. No. 167, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Levin rose in support of the bill with reservations:

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

"If I read this bill correctly, it would provide that no one under the age of 18 would be able to apply for a driver's license unless they have taken a driver education course including 10 hours of behind-the-wheel training and 30 hours of classroom training. I think that is going to create a tremendous hardship, particularly in those geographic areas where schools do not offer driver training. And I think that is a fairly common situation throughout our State.

"For those geographic areas, particularly where there is not adequate public transportation, individuals under the age of 18 really do need to be able to drive to get to work, to get to school, and to live a full life. So I would urge that as this bill works its way through conference, those who are conferees please give some consideration to those individuals and perhaps come up with other approaches.

"Thank you."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose to speak in favor of the measure with reservations:

"Mr. President, I'd like to speak in favor with reservations. I know the hour is getting late, but just a little information.

"Similar to the Senator from Ka'u, I'm concerned about the education requirement -- 10 hours behind the wheel, 30 hours of classroom training. Already the Department of Education is faced with a financial crunch, therefore either these services won't be provided or we'll be asked, here, for additional funds for the thousands of applicants.

"So, what can we say? Do we say let's raise the fee in the Department of Education to cover the cost, which might be \$200; or do we say go seek private providers which might be even more. So there's about 10,000 people, young people, each year trying to get their driver's licenses. So really, we need to look at another way to enforce safety in that regard.

"Thank you."

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose in support of the bill and said:

"Mr. President, I'd like to speak in favor of this bill.

"Mr. President, for, I think, three years we tried to pass through similar bills and I guess thanks to the young people from Maui who came to visit the good Senator from Maui, they were able to convince him to pass out a bill that is similar to the bill that they wanted. But it was young people asking the Senate to save young people's lives. And that, you cannot turn down. It's important to see our young people come out and, again, testify in favor of trying to save young people's lives.

"Therefore Mr. President, I urge all my colleagues to vote 'aye' on this bill. Thank you."

Senator Tam then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1599 was adopted and H.B. No. 167, H.D. 3, 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, 23. Noes, none. Excused, 2 (Matsuura, Taniguchi).

Stand. Com. Rep. No. 1600 (H.B. No. 171, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 1600 be adopted and H.B. No. 171, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto spoke in favor of the measure with reservations:

"Mr. President, I rise in support with reservations.

"The Judiciary co-chairs have greatly improved the bill, but I still have some concerns about placing a burden on the surrogate. When do you decide to withhold food and water if it's your mother or your mother lying there? What if you have pulled the plug and then medical experts discover a cure to the disease or condition that has incapacitated your loved one? So I have concerns, Mr. President."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1600 was adopted and H.B. No. 171, 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, 23. Noes, none. Excused, 2 (Matsuura, Taniguchi).

H.B. No. 86, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 86, 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, 23. Noes, none. Excused, 2 (Matsuura, Taniguchi).

Stand. Com. Rep. No. 1602 (H.B. No. 140, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1602 be adopted and H.B. No. 140, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto spoke on the measure as follows:

"Mr. President, this is my third and last flank.

"This is the most important bill. This bill came to us from the House and in one paragraph it tries to circumvent 104D, and this is the Little Davis-Bacon Act. And I understand that opponents of project labor have used this throughout the country to again circumvent the Little Davis-Bacon Act. And if many of you don't know (maybe you're too young) but the Little Davis-Bacon Act comes from the 1946 sugar strike and efforts that were made there. People died in their efforts to get this Little Davis-Bacon Act. And we cannot afford to allow people circumventing 104D.

"Thank you."

Senator Chumbley rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to this measure, and I hope this is the last time I have to rise also.

"Mr. President, I want to share with you and some of our colleagues the problems with PLAs. I can't speak to the contents of this measure before it was amended as to that merit, but just to the bills that came out and are before us now.

"Public construction work has long been awarded on the basis of competitive bidding and to the lowest responsible bidder. At all levels of government, it has been rightly perceived that favoritism in the award of government contracts is a form of corruption which leads inevitably to higher costs and lower performance. At the same time, the majority of construction users have recognized that the labor affiliation of a bidding contractor bears no relationship to the ability of the contractor to perform construction work.

"In order to sign PLAs, open-shop contractors are forced radically to alter their normal structure of operations and work rules, which are normally more flexible and less rigid than under union agreements. Particularly where 80 percent of the construction industry performs work on a nonunion basis, union-only PLAs inherently discourage many contractors from bidding for work under such circumstances.

"Recent studies have shown that public sector PLAs significantly reduce the number of bidders for government work and significantly increase the costs of construction. One such study in Roswell Park, New York, conducted both before and after a PLA was temporarily imposed in 1995, revealed that there were 30 percent fewer bidders to perform the work under the PLA and that costs increased by more than 26 percent. Similarly, a GAO study of a Department of Energy PLA in Idaho found that labor costs on the project were more than 20 percent higher than the prevailing wage in the area.

"In a pending case in Nevada, a water authority rejected a responsive bid which was more than \$200,000 lower than all others, solely because the contractor could not and would not sign a union contract. Similar testimony of inflated costs of PLAs at both the Tappan Zee Bridge in New York and the Central Artery Tunnel in Boston is contained in the record of U.S. Senate Hearings held on the subject in 1997.

"Supporters of PLAs have asserted that nonunion contractors have in fact bid upon selected work performed under union-only PLAs, and that only a matter of 'choice' prevents other open-shop contractors from competing for PLA work. The true question, however, is not whether open-shop contractors are completely precluded from bidding on union-only contracts, but whether imposition of the union-only requirement discourages bidders from coming forward, to the detriment of taxpayers.

"Clearly, imposition of a union-only PLA has the inherent effect of deterring a large number of contractors from submitting bids, and not merely as a matter of philosophical 'choice.' Rather, in order to bid on union-only work, nonunion contractors must submit to radical restructuring of their operations -- from hiring to work rules to fringe-benefit plans -- jeopardizing many of the very characteristics which have made them successful and cost efficient in the first place.

"PLAs likewise discriminate against the employees of open-shop contractors by imposing on them, by government edict, an unwanted union representative. Regardless of whether the employees are required to pay dues to the union under a PLA, a frequent requirement, they are necessarily bound by whatever agreement the union negotiates as to their wages, hours, and working conditions, regardless of their personal choice. It is little consolation to such employees that their unwanted union status is limited to a particular project -- indeed, this fact often results in depriving the employees of any opportunity to vest in any meaningful benefits from the union health, welfare, and pension fund contributions which must be made by their employers to union trust funds under most PLAs.

"Even many union contractors, who might be expected to benefit from union-only PLAs, in reality are disadvantaged by them. According to Associated General Contractors, an association representing many union contractors, public sector PLAs unfairly remove contractors from the collective bargaining process and give unwarranted leverage to union officials who deal directly and advantageously with government procurement managers.

"In each of these instances, it is the taxpayers who suffer most directly from governmentally imposed union-only PLAs. Unlike private sector agreements, in which corporate directors and shareholders can evaluate the risks and rewards of labor agreements in direct relation to market forces, there are no similar restraints on government officials exercising control over public construction dollars. Union-only PLAs threaten to undermine the public trust in the competitive bidding process.

"Mr. President, in conclusion, imposition of union only PLAs in the public sector cannot be shown to serve the public interest. The government should not enter into the realm of labor management relations by arbitrarily creating a protected enclave for union work at the expense of the taxpayers and to the detriment of fair and open competition. Government agencies that impose union-only PLAs, in response to short term political pressure from labor organizations, will suffer long term consequences in the form of litigation, increased cost of construction, and adverse taxpayer reaction.

"Mr. President, like the other two votes, I will be voting 'no' on this measure and encourage all my colleagues to do the same.

"Thank you."

Senator Kawamoto rose to respond and said:

"Just a slight rebuttal, Mr. President.

"Mr. President, I know the day is long and we've been here a long time, but I just couldn't sit there and take all the accusations given by my colleague from Maui. All these accusations, again, were presented in court, presented everywhere else. They are opinions by the ABC. The ABC tried to resolve this problem. They went to the Supreme Court and the Supreme Court voted 9 to 0 in favor of project labor. Therefore, Mr. President, these accusations are false."

Senator Chumbley then said:

"Mr. President, a short rebuttal.

"Mr. President and colleagues, my statements are not those of ABC and I resent that. And the Supreme Court in a 9 to 0 ruling upheld the Boston Harbor agreement in a very narrowly defined area. So, Mr. President, I'm not speaking in behalf of any organization, nor am I speaking in behalf of ABC. I'm speaking in behalf of the taxpayers.

"Thank you."

Senator Chun rose to speak against the measure and stated:

"Mr. President, I stand in opposition to the bill.

"I think the comment on ABC was for Avery 'Buttons' Chumbley.

"I stand in opposition to this bill for the same reasons that I stated in H.B. No. 1593 and ask that the record would so reflect.

"Thank you."

Senator Taniguchi requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I stand in opposition to the bill.

"Is this the end of the trilogy for today? This is it? Okay. It's only five of five.

"For the reasons that I expressed before, but also the supporter of the bill from God's country started off talking about Davis-Bacon, and this bill is not about Davis-Bacon. It is about project labor agreements.

"The description in the Order of the Day says 'Relating to Public-Private Infrastructure Partnerships.' It's not about partnerships. It's about lack of choice and about forcing people to do things that they may choose not to do. Also, we have a

provision in here for the definition of state contractor and state subcontractor requiring that 100 percent of all employees, if that contractor or subcontractor has one or more, must be Hawaii residents, which is not a reasonable requirement.

"The Davis-Bacon Act, by the way, is the law of the land. It is required. It is pursued aggressively. But I think the bottom line in all of this is, this bill is so convoluted with so many things thrown into it with the idea just being to get PLA passed, that it's not going to do anything to either improve our economy; it's not going to do anything to provide opportunities for local employees; it's not going to provide more construction opportunities. That will be dependent on our economic conditions which we have not addressed here today.

"Thank you, Mr. President."

Senator D. Ige then rose and said:

"I'd just like to note my 'support, with reservations.'"

Senator Chun Oakland requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1602 was adopted and H.B. No. 140, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, Buen, Chumbley, Chun, Inouye, Matsunaga, Sakamoto, Slom, Tanaka). Excused, 1 (Matsuura).

Stand. Com. Rep. No. 1603 (H.B. No. 985, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1603 be adopted and H.B. No. 985, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Regarding the bill before us deals with procurement, I want to just clarify. It's important to me that my fellow Senators can rely on the accuracy of information or testimony I present. So to this end, I felt it necessary to confirm that we confirmed with DAGS the position that I presented as part of my floor speech on H.B. No. 122 that was questioned by the Senator from Nuuanu.

"So, per a telephone conversation with the Comptroller this afternoon, they did in fact verify that DAGS is opposed to H.B. No. 122, S.D. 1, Relating to Prompt Payment, and they also confirmed that the Public Works Administrator and his assistant conveyed this position in a meeting with the GOH chair and his staff at which I was present. Further, they confirmed that they have not communicated any change of that position.

"So for the record, it is important for the construction industry and my staff has been contacting DAGS almost every other day for the past month. And they confirmed that they are opposed to both the prompt payment and the retention bills, Mr. President. They have not changed that position.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1603 was adopted and H.B. No. 985, 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, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Matsuura).

Stand. Com. Rep. No. 1604 (H.B. No. 1276, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1604 be adopted and H.B. No. 1276, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1604 was adopted and H.B. No. 1276, H.D. 1, 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 (Matsuura).

Stand. Com. Rep. No. 1605 (H.B. No. 1711, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1605 was adopted and H.B. No. 1711, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOHE BAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1606 (H.B. No. 1664, H.D. 3, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1606 be adopted and H.B. No. 1664, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase then rose and said:

"Mr. President, 'W/R,' one-subject rule. Thank you."

The Chair so ordered.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1606 was adopted and H.B. No. 1664, H.D. 3, 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, 24. Noes, none. Excused, 1 (Matsuura).

Stand. Com. Rep. No. 1607 (H.B. No. 747, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1607 was adopted and H.B. No. 747, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 100, H.D. 1, S.D. 1:

Senator Fukunaga moved that H.B. No. 100, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President, I rise to speak in brief support of this measure. I know it's been a long day, colleagues.

"The Senate Ways and Means Committee heard the call of Hawaii's voters over the past several months. And in response to many of our colleagues' questions, our answer is that: State government's role in economic recovery and improving the efficiency of state government services must change now.

"What we have tried to do in this version of the Senate budget is three things: First, we have tried to create greater accountability in government and focus on delivering core services to the general public in a more cost-effective manner. In so doing, we have complied with the Felix Consent Decree by making it the Senate's top priority so that we can ensure that we meet our June 30, 2000 deadline. To that end, I would note that all of the Executive Request funding items associated with Felix-compliance have been included in this version of the budget. We have also answered the call for greater accountability by providing that all Felix-related services shall be funded out of the Governor's Office (GOV 200) and to provide schools and school complexes with greater say in determining the services that are to be provided to the students that they serve.

"Secondly, we have tried to be vigilant stewards of taxpayer dollars. And in so doing, we have vigorously controlled government spending, partly by reducing approximately 40 percent of all vacant positions in state government.

"Thirdly, we have tried to focus on what needs to be done for people. We have concentrated on core functions and essential programs and services dealing with health, safety, education, economic development or those services mandated at state levels.

"We are also proud to say that while we have addressed all these core priority areas, we are spending no more than \$3 million in FY 2000 than we are currently spending in this fiscal year. As we focus on what is perhaps the most important part of the Senate's economic plan, I'd like to defer to Co-Chair Levin to talk about some of the things which we have done in the area of economic recovery."

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

"Mr. President, we have come to the belief that in order to stimulate our economy and spur an economic rebound, we have got to reduce taxes. We have listened to the business community. We recognize that it is the business community, not government, which is the key player to turn the economy around.

"We do recognize that it's the government's role to provide business with a better business climate and with the tools to facilitate success. So to restore a vibrant economy, we provide significant tax relief for taxpayers, and we build it into our financial plan, and we keep our budget tight so that we can afford the tax reductions.

"Last year, the Legislature passed the largest personal income tax reduction in the State's history. It should come out to approximately \$752 million in tax reductions over the next four years. That's an extra three-quarters of a billion dollars in spending power given back to our people.

"Mr. President, you said on opening day that we needed to rally and respond to help small business. That is precisely what we are trying to do this year again, with a number of tax incentives. Our Minority Floor Leader has said that we have not passed anything, and our Minority Floor Leader is an honorable man. But I think it is important to recognize that we have proposed, and we have just passed on this floor, a reduction in general excise tax pyramiding. Over the next five to seven years, when fully implemented, that alone would result in a \$150 million tax reduction per year.

"This year we have also proposed tax incentives and resources for venture capital investment for a call center industry and improvements to hotel and resort properties. We've also put in tax breaks for the counties and for levelling the import/export playing field so that our local people can export competitively and products that are coming in will be taxed more fairly. These are the tax incentives that we believe are needed, and in many cases they will be implemented immediately, which means an immediate break for businesses and an immediate boost to our economy.

"We hope that with this package and the budget itself, we will move our economy in the right direction.

"Thank you. I'd like to turn the microphone back to my co-chair."

Senator Fukunaga continued in support of the measure as follows:

"Certainly, Mr. President, we recognize that crafting a document as massive as the state budget is not one that could be done without a lot of support. So first, we'd like to turn to all of you, our colleagues -- and our subject matter chairs and Ways and Means Committee members -- and say thank you for your input, your guidance and recommendations as we have crafted this document, as well as many of the subsidiary 'moving parts' of the process. We would also like to thank our Senate Ways and Means staff who are currently arrayed in the gallery above us.

"This massive set of documents could not have been undertaken or produced on time, on budget, without their assistance and we'd like to ask them all to rise to be recognized. Chief clerk, Barbara Stanton; budget supervisor, Debbie Nakagawa; bill research team head, Garret Kashimoto, and all of their respective staff, please rise and accept our thanks. (The staff members seated in the gallery rose to be recognized.)

"Secondly, we would also like to thank and acknowledge many of the people from the legislative agencies, Legislative Reference Bureau, our Senate Majority research staff, as well as your office, Mr. President, in helping us craft this document.

"We believe it puts us in good position to go into conference and we believe that the Senate will have a product that it can truly be proud of.

"Thank you."

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

"Mr. President, I rise in support, and I also appreciate the chairs' efforts in passing the tax measures which certainly would help.

"As you are aware, Radford High School was in the news a lot and I appreciate you putting in the Radford project and hopefully that prevails.

"I guess, for me, our staff was trying to compare the numbers between the House and the Senate and glad to see a lot of numbers are reductions. So hopefully, we can prevail in making our government more efficient, as well.

"Thank you, Mr. President."

Senator Levin rose and said:

"Mr. President, if I may be allowed one more word of thanks, both to our committee members and to staff.

"As a first year co-chair of Ways and Means, I had always understood what the job entailed toward the end of session, when people would come with sleeping bags and devote

endless hours to the job at hand. Now, as co-chair, I realize that the sleeping bag part starts from day one, perhaps even before session starts. The group that is in the gallery is comprised of the most extraordinary people in terms of the dedication and hours that they have put in, and I couldn't be more grateful to them, as well as to my co-chair who also puts in endless hours and keeps me in tow. I thank them all. The staff is just remarkable and deserves everybody's thanks.

"Thank you."

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

"Mr. President, I speak in support of the bill and I'd like to thank the Ways and Means and all my colleagues for their support.

"This is a great economic package and I believe first time for the counties and I'd like to say on behalf of the counties, thank you very much for assisting them. And I think as I can reflect back to my role as a former mayor who had pleaded with this Legislature for a number of years and those who had preceded me in that role and those until today came to this Legislature to ask for support on behalf of the counties, thank you very much."

Senator Slom rose in support of the bill with reservations:

"Mr. President, I rise to support the measure with reservations.

"First of all, let me thank my colleague, the good Senator from Ka'u, for establishing that I am, in fact, an honorable man. I appreciate that.

"It's a massive undertaking for the budget -- no question about it. There was a lot of work put in, a lot of sacrifice and so forth -- a lot of good items. And unlike the erroneous reports from the media, the Senate budget is not higher but in fact is lower than both the Governor's recommendations and the House recommendations. So I think that's a good point.

"However, I think that as always we should strive to do better and that should be the goal in the conference committee. There are a number of changes between the House and Senate versions and it's going to take very acute, I guess, negotiating, and we hope that our team will have the best talents possible.

"Also, I note that a number of the measures within the budget actually call for facilitating and advancing the idea of restructuring various departments because of the funding mechanism in which it was given.

"The only final comment that I would make is that in terms of economic development, in terms of tax relief. While it is laudatory that this is in the budget and we're going to pass this today, that's fine, then we go into conference committee. First of all, I will stand by my statement earlier that had we really been serious about jump-starting the economy and solving some of the problems that have existed for nine years now and listening to the people that have had to reach in their own pockets to create the jobs and create the income, we would have done this very early. Instead, we pass bills that pay for our expenses and we pass other bills that have interest to a narrow majority within our community. This is the most important thing that we have to do.

"In terms of some of the specifics within the budget itself, as the good Senator from Ka'u mentioned, the tax relief is spread out over 5 to 7 years. My only concern, Mr. President, is that this does not give a signal of immediacy or urgency, not like all the emergency appropriations that we pass every time we vote on things. The emergency is for those businesses and those householders and those single moms who will not be here in five to seven years because they will not be able to afford it. In

the meantime, what we've done today and what we'll do now is pass a really good budget document for discussion, but we also passed an increase in taxation and new taxes allowable for the Department of Education.

"So I think the bottom line message is going to be, when people look at what we've done today and what we've done in this session -- unless we make some very dramatic changes in conference -- is that we did not do what we came to do and we said we would do, and that is to alleviate the high cost of taxation and the high cost of living and the burden that faces every individual in this community. And that's should have been job number one. We should have done that immediately on a bi-partisan basis.

"So I will support this budget with reservations and I hope, as I say, that we will get more concessions as go in the conference process.

"Thank you."

Senator Anderson rose to support the measure with reservations:

"I, too, will be voting with reservations, and I would like to thank the staff from Ways and Means. They worked very, very hard and they were very helpful and so were the two co-chairs.

"However, I, too, echo the five to seven years incentive is not immediate. We could have passed the GET 4 percent off of food and drugs, which would have been immediate for our people -- the most regressive tax -- but we didn't.

"Also, because we don't have the staff that some do, but our Minority research did some work on this and they have down here that on the Felix-Cayetano we have it two areas, consequently I'm not sure if it's budgeted twice, but I believe that's why it seems that in the first year we're 8.1 percent over and 8.6 in the second year. That's something we can look at.

"Also, I'm not sure if we did right because we didn't even do anything with the prisons. We grumble a lot. We still haven't made decisions because we're not decision makers, evidently. But what we should have done is make that decision. We did tell the people of Ka'u when the two Judiciary chairmen and myself were up there with a few others. And I was told that, I guess, Pele would be upset with us because it was a spiritual place. And it was a group of people who weren't even Hawaiian at the time they told me that. And I told them, you know in our day, culturally, you brought prisons because that's part of your culture. In our day, we didn't have prisons. We had the kapu system and if you violated the kapu system, you better haul down to the City of Refuge, otherwise 'pau kahana' for you. So they brought their culture and that's why we have prisons. But unfortunately, we're not building them. We're making mandates on public safety and other things that the people need, but we're not making decisions to build that because it's on a particular part of an island that somebody doesn't want. And as soon as I said they could build it in, as far as I was concerned, Kawainui and let me fight it, immediately one of my Senators stood up and said, 'My people would be opposed to that. We can't have it over there.' That was just a gesture. This is what we don't do. We don't do the kinds of things that should be in the budget. We should pass it, but we don't.

"So those are some of my reservations that I have, Mr. President. And I once told my friend, if you have lots of reservations for 15 minutes, you should vote 'no.' So I'm going to quit as this point.

"Thank you very much."

Senator M. Ige requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 100, 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, 24. Noes, none. Excused, 1 (Matsuura).

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

Stand. Com. Rep. No. 1481 (H.B. No. 806, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1481 be adopted and H.B. No. 806, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1481 was adopted and H.B. No. 806, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, M. Ige, Inouye, Matsunaga, Slom). Excused, 1 (Matsuura).

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following resolutions:

S.C.R. No. 18;
S.C.R. No. 26;
S.C.R. No. 27;
S.C.R. No. 28;
S.C.R. No. 30;
S.C.R. No. 37;
S.C.R. No. 38;
S.C.R. No. 39;
S.C.R. No. 50;
S.C.R. No. 55;
S.C.R. No. 57;
S.C.R. No. 64;
S.C.R. No. 65;
S.C.R. No. 77;
S.C.R. No. 86;
S.C.R. No. 93;
S.C.R. No. 97;
S.C.R. No. 103;
S.C.R. No. 105;
S.C.R. No. 109;
S.C.R. No. 115;
S.C.R. No. 116;
S.C.R. No. 117;
S.C.R. No. 119;
S.C.R. No. 121;
S.C.R. No. 127;
S.C.R. No. 129;
S.C.R. No. 131;
S.C.R. No. 139;
S.C.R. No. 141;
S.C.R. No. 144;
S.C.R. No. 145;
S.C.R. No. 147;
S.C.R. No. 148;
S.C.R. No. 149;
S.C.R. No. 151;
S.C.R. No. 157;
S.C.R. No. 158;
S.C.R. No. 172;
S.C.R. No. 178;
S.C.R. No. 179;

S.C.R. No. 188;
S.C.R. No. 194;
S.C.R. No. 195;
S.C.R. No. 199;
S.C.R. No. 203;
S.C.R. No. 219;
S.R. No. 9;
S.R. No. 15;
S.R. No. 16;
S.R. No. 17;
S.R. No. 29;
S.R. No. 40;
S.R. No. 43;
S.R. No. 45;
S.R. No. 53;
S.R. No. 54;
S.R. No. 55;
S.R. No. 59;
S.R. No. 62;
S.R. No. 81;
S.R. No. 85;
S.R. No. 90; and
S.R. No. 94,

and the Chair granted the waiver.

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

ADJOURNMENT

At 5:20 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., Thursday, April 15, 1999.

FORTY-NINTH DAY

Thursday, April 15, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor David Yamashiro, Christ's Church at Kapolei, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Iwase and Kawamoto who were excused.

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

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

Senator Tam congratulated McKinley High School's Electric Car Team on capturing first place at the Fourth Annual Electron Marathon and introduced the following members of the team: Richard Duong, William Wong, Aaron Iwasaki, David Baker and Andrea Lee.

Senator Chun Oakland introduced Jordan Salis and commended him on being an outstanding role model for youth and for being selected as one of twenty Hawaii representatives to tour Europe this summer as a "People to People Ambassador." Accompanying Jordan was his father, Derek Salis; sisters, Dayna and Lindsey; brother, Dane; and Gary Aki, president of the Kamehameha Homes Tenant Association.

Senator Sakamoto introduced and congratulated Colonel Ann M. Testa, Commander of the 15th Air Base Wing, Hickam Air Force Base, Hawaii, in recognition of Hickam Air Force Base as the winner of the Commander-In-Chief's Annual Award for Installation Excellence. Accompanying Colonel Testa were June Takekawa, president of the Friends of Hickam, and Chief Master Sergeant Earl W. Brewster, Command Chief Master Sergeant for Hickam AFB.

At this time, the Chair appointed Senators Sakamoto, Anderson and Ihara to escort Colonel Ann Testa to the podium to address the members of the Senate.

Colonel Testa addressed the members of the Senate and their guests as follows:

"Mr. President, other members of the Senate, guests -- I've decided I want to recruit the McKinley High School folks who built that electric car. We could use their expertise at Hickam Air Force Base.

"Thank you very much for this honor. I proudly and humbly accept this certificate on behalf of the men and women of Hickam Air Force Base. The installation excellence award competition, in my mind, is much like the superbowl of the Air Force. It takes a dedicated team of people to earn this award. And I say earn, as opposed to win, because we all work very hard, each and every day -- the base personnel and the off-base community working together -- to make this happen.

"I'd like to stress the important role the community played and ask June Takekawa to be recognized as the past president of the Friends of Hickam and a key player on our base's team. Our Friends of Hickam are truly, truly a unique group. This is a group that you don't see in other installations and affiliated with other installations around the world. Never has such a small but dedicated group of local business leaders given so much aloha, ensuring our military personnel and their families feel welcomed to this beautiful island.

"This close bond with our off-base community is particularly important during these trying times when our military men and

women are deployed around the world into potentially life-threatening and definitely hostile situations. The families left behind in Hawaii are made to feel cared for and safe, and that's a big burden off the shoulders of their loved ones, our military deployed overseas. Because of this aloha, our military members are better able to concentrate on their jobs at hand -- and that is protecting the American interests around the world.

"Please accept my deep appreciation to the people of this State for their help in making us the best Air Force installation in the world. Mahalo."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 287, dated April 13, 1999, returning to the House of Representatives as requested by the Legislature through H.C.R. No. 262, adopted on April 9, 1999, the following House bills:

H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.";

H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC"; and

H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES,"

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 464 to 616) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 464, returning S.B. No. 4, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 4, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 465, returning S.B. No. 5, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 5, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 466, returning S.B. No. 20, S.D. 1, which passed Third Reading in the House of Representatives on April 13, 1999, in an amended form, was placed on file.

Hse. Com. No. 601, returning S.B. No. 1519, S.D. 3, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1519, S.D. 3, and requested a conference on the subject matter thereof.

Hse. Com. No. 602, returning S.B. No. 1544, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1544, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 603, returning S.B. No. 1583, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1583, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 604, returning S.B. No. 1607, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1607, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 605, returning S.B. No. 1635, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1635, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 606, returning S.B. No. 1421, S.D. 1, which passed Third Reading in the House of Representatives on April 13, 1999, 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. 1421, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 607, returning S.B. No. 808, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 608, returning S.B. No. 1086, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 609, returning S.B. No. 716, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 610, returning S.B. No. 1216, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 611, returning S.B. No. 1403, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 612, returning S.B. No. 1062, S.D. 1, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 613, returning S.B. No. 1641, S.D. 2, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 614, returning S.B. No. 1326, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 615, returning S.B. No. 484, S.D. 1, which passed Third Reading in the House of Representatives on April 13, 1999, was placed on file.

Hse. Com. No. 616, transmitting the following House bills which were returned by the Governor to the House of Representatives on April 13, 1999, pursuant to the provisions of H.C.R. No. 262, for further consideration by the Senate:

H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.";

H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC"; and

H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES,"

was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate reconsidered its action taken on Tuesday, April 6, 1999, in passing the following House bills on Third Reading:

H.B. No. 801, H.D. 1;
H.B. No. 1286, H.D. 1;
H.B. No. 1287, H.D. 1; and
H.B. No. 1595, H.D. 1.

By unanimous consent, action on the following bills was deferred until Tuesday, May 4, 1999:

H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.";

H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC"; and

H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES."

SENATE COMMUNICATION

Sen. Com. No. 2, notice to the Governor dated April 15, 1999, transmitting H.B. No. 150, H.D. 2, S.D. 1, which

proposes amendments to the Hawaii State Constitution, was read by Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"April 15, 1999

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. 150, H.D. 2, S.D. 1
'RELATING TO EDUCATION'

Respectfully,

/s/ Paul T. Kawaguchi
Paul T. Kawaguchi
Clerk of the Senate"

At 12:21 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.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1614) recommending that S.C.R. No. 130 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1615) recommending that S.R. No. 57 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 57, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1616) recommending that the Senate advise and consent to the nomination of MARCELLA SETO CHOCK, Pharm.D., to the Drug Product Selection Board, in accordance with Gov. Msg. No. 184.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1616 and Gov. Msg. No. 184 was deferred until Friday, April 16, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1617) recommending that the Senate advise and consent to the nominations of ROGER BABCOCK JR., Ph.D., SOLOMON K. NAONE JR., JOSE M. PADRON and BERT UYENO to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 246.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1617 and Gov. Msg. No. 246 was deferred until Friday, April 16, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1618) recommending that S.C.R. No. 164 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1619) recommending that S.R. No. 72 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 72, entitled: "SENATE RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1620) recommending that S.C.R. No. 91, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," was adopted.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1621) recommending that S.R. No. 50, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEVELOPMENT AND USE OF WORKPLACE SAFETY PROTOCOLS ADDRESSING NEEDLESTICK INJURIES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1622) recommending that S.C.R. No. 18 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL

APPROPRIATE ADMINISTRATION MEASURES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1623) recommending that S.C.R. No. 26, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1624) recommending that S.C.R. No. 27, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR A TASK FORCE AND REQUESTING A STUDY TO REVIEW THE FISCAL NEEDS OF THE STATE HIGHWAY FUND AND REPORT ON DEVELOPING A REVENUE PLAN FOR THE HIGHWAYS DIVISION," was adopted with Senators Anderson, M. Ige and Slom voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1625) recommending that S.C.R. No. 28, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1626) recommending that S.R. No. 9, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 9, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1627) recommending that S.C.R. No. 30, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A POLICY AND ISSUE STUDY CONCERNING THE UNDERGROUNDING OF OVERHEAD UTILITY FACILITIES," was adopted with Senators Anderson, M. Ige and Slom voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1628) recommending that S.C.R. No. 37, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R.

No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1629) recommending that S.C.R. No. 38, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1630) recommending that S.R. No. 16, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1631) recommending that S.C.R. No. 50, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE POTENTIAL OF ESTABLISHING A MEDICINAL HERB INDUSTRY IN THE STATE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1632) recommending that S.C.R. No. 57, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUES," was adopted with Senator Anderson voting "Aye, with reservations."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1633) recommending that S.C.R. No. 77 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTIVE SERVICES ROUNDTABLE TO FORM A TASK FORCE TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1634) recommending that S.C.R. No. 86 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1635) recommending that S.C.R. No. 93, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY REGARDING THE ISSUE OF PERSONAL PRIVACY AND COMMERCIAL USE OF PERSONAL INFORMATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1636) recommending that S.C.R. No. 115 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1637) recommending that S.C.R. No. 116, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1638) recommending that S.R. No. 54, S.D. 1, be adopted.

On motion by Senator Chun, 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 THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1639) recommending that S.C.R. No. 119, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 119, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO PROVIDE ALL HAWAII PUBLIC SCHOOL CHILDREN WITH THE OPPORTUNITY TO HAVE A NUTRITIOUS BREAKFAST," was adopted with Senator Slom voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1640) recommending that S.C.R. No. 127 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R.

No. 127, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE IF HAWAII'S ADMINISTRATIVE PROCEDURE ACT AND PUBLIC AGENCY MEETINGS AND RECORDS LAWS ARE CURRENTLY DRAFTED TO ENSURE THAT DISCUSSIONS, DELIBERATIONS, DECISIONS, AND ACTIONS OF THE GOVERNMENT ARE CONDUCTED AS OPENLY AS POSSIBLE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1641) recommending that S.C.R. No. 141, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE AND COUNTY WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1642) recommending that S.R. No. 62, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 62, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE AND COUNTY WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1643) recommending that S.C.R. No. 148, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 148, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION, UPON RECEIPT OF HAWAIIAN ELECTRIC COMPANY'S APPLICATION FOR APPROVAL OF THE PROPOSED KAMOKU-PUKELE 138,000 VOLT TRANSMISSION LINE PROJECT IN HONOLULU, TO BIFURCATE THE DOCKET IN ORDER TO FIRST CONSIDER THE ISSUE OF NEED," was adopted with Senator M. Ige voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1644) recommending that S.R. No. 15, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 15, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF NOISE MITIGATION AT HILO AIRPORT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1645) recommending that S.C.R. No. 105, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1646) recommending that S.R. No. 45, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1647) recommending that S.C.R. No. 109, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RELOCATION OF THE QUEEN LILI'UOKALANI STATUE," was adopted with Senator Anderson voting "Aye, with reservations."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1648) recommending that S.C.R. No. 121, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1649) recommending that S.C.R. No. 129, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 129, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1650) recommending that S.C.R. No. 145 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 145, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1651) recommending that S.R. No. 90 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1652) recommending that S.C.R. No. 151, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R.

No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1653) recommending that S.C.R. No. 172 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1654) recommending that S.C.R. No. 188 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1655) recommending that S.C.R. No. 81, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 81, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL PERFORMANCE BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1656) recommending that S.C.R. No. 94 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE HAWAII RULES OF CIVIL PROCEDURE RELATED TO OFFERS OF JUDGMENT AND ALLOWING DISCOVERY AND TESTIMONY BY VIDEOTAPE," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1657) recommending that S.C.R. No. 134 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 134, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT OVERSIGHT COMMITTEE ON PRISON OPERATIONS AND SAFETY," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1658) recommending that S.C.R. No. 135 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1659) recommending that S.C.R. No. 53, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AMEND ITS RULES FOR EMPLOYERS PAYING STATE WITHHOLDING TAXES FOR NONRESIDENTS," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1660) recommending that S.C.R. No. 118, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1661) recommending that S.R. No. 56, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 56, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was adopted.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 1662) recommending that S.C.R. No. 187, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 187, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was adopted.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report (Stand. Com. Rep. No. 1663) recommending that S.R. No. 84, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1664) recommending that S.C.R. No. 207 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TO DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII COMMUNITY DEVELOPMENT ASSOCIATION TO COMMUNICATE TO THE DIRECTOR OF TRANSPORTATION THEIR INTENTIONS REGARDING PIER 2 AT HONOLULU HARBOR," was adopted.

Senator Kawamoto, jointly with Senator Inouye, and Senator D. Ige, for the Committee on Transportation and Intergovernmental Affairs, the Committee on Economic Development and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1665) recommending that S.C.R. No. 211, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 211, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE ESTABLISHING A PARTNERSHIP WITH THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE TO EXPLORE THE POTENTIAL RESEARCH, EDUCATIONAL, AND ECONOMIC OPPORTUNITIES OF JOHNSTON ATOLL," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1666) recommending that S.C.R. No. 100, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 100, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1667) recommending that S.R. No. 41, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION URGING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report majority of the Committees (Stand. Com. Rep. No. 1668) recommending that S.C.R. No. 133, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE LANGUAGE, IMPLEMENTATION, AND EFFECTIVENESS OF MEDICINAL CANNABIS LAWS IN OTHER STATES," was adopted with Senator M. Ige voting "No."

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report majority of the Committees (Stand. Com. Rep. No. 1669) recommending that S.C.R. No. 183, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DRUG ENFORCEMENT AGENCY TO CONSIDER RESCHEDULING MEDICINAL CANNABIS (AKA MARIJUANA) AND THE UNITED STATES CONGRESS TO CONSIDER PASSING LEGISLATION RESCHEDULING MEDICINAL CANNABIS," was adopted with Senator M. Ige voting "No."

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1670) recommending that S.C.R. No. 184, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 184, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," was adopted.

Senators Chumbley and Matsunaga, jointly with Senators Fukunaga and Levin, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1671) recommending that S.C.R. No. 208, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPARE HAWAII'S ELECTION SYSTEM WITH THAT OF OTHER STATES AND ESTABLISHING AN ELECTIONS REVIEW TASK FORCE TO MAKE RECOMMENDATIONS FOR CHANGES TO HAWAII'S ELECTION LAWS," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1672) recommending that S.C.R. No. 88, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 88, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INFORMAL TASK FORCE TO STUDY THE PROBLEMS ASSOCIATED WITH THE CONDOMINIUM PROPERTY REGIME LAW, AND PUBLIC HEARINGS ON SUBJECTING CONDOMINIUMS TO COUNTY ZONING ORDINANCES AND DEVELOPMENT REQUIREMENTS," was adopted.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1673) recommending that S.C.R. No. 95 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the joint report of the Committees was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF IMMUNITY FROM TORT LIABILITY AND RECOMMENDATIONS REGARDING SUCH PROVISIONS IN THE DEVELOPMENT OF PUBLIC POLICY," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1674) recommending that S.C.R. No. 152, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara 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 PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM 'MEDICAL NECESSITY' TO DETERMINE THE MOST APPROPRIATE DEFINITION OF 'MEDICAL NECESSITY,' OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1675) recommending that S.C.R. No. 201 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1676) recommending that S.C.R. No. 34, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1677) recommending that S.C.R. No. 64, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY HANDICAPPED PERSONS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1678) recommending that S.C.R. No. 103 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1679) recommending that S.R. No. 43 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 43, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1680) recommending that S.C.R. No. 131, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 131, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF THE DEPARTMENT OF EDUCATION'S LANGUAGE ARTS PROGRAM FOR HAWAII CREOLE ENGLISH SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1681) recommending that S.R. No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1682) recommending that S.C.R. No. 139, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 139, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1683) recommending that S.R. No. 59, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1684) recommending that S.R. No. 73, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1685) recommending that S.R. No. 81 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1686) recommending that S.R. No. 85 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1687) recommending that S.C.R. No. 144, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1688) recommending that S.C.R. No. 147, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE AND DENTAL CARE PLANS, AND AN ASSESSMENT OF THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1689) recommending that S.R. No. 94, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 94, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE AND DENTAL CARE PLANS, AND AN ASSESSMENT OF THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1690) recommending that S.C.R. No. 149, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1691) recommending that S.C.R. No. 157 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 157, 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. 1692) recommending that S.C.R. No. 165, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 165, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was adopted with Senator Slom voting "No," and Senator Anderson voting "Aye, with reservations."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1693) recommending that S.C.R. No. 178 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1694) recommending that S.C.R. No. 195 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 195, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1695) recommending that S.C.R. No. 199 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1696) recommending that S.C.R. No. 219, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 219, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO REVIEW COURT RULES AND, IF

NECESSARY, TO ESTABLISH GUIDELINES FOR GIFT-GIVING BY COURT REPORTERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1697) recommending that S.C.R. No. 179, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 179, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING MORE PUBLIC EDUCATION ON THE MERITS OF VOLUNTEER SERVICE AND ON EFFECTIVE METHODS FOR RECRUITING AND RETAINING VOLUNTEERS," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1698) recommending that S.C.R. No. 39, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS," was adopted with Senators Anderson, Buen, Chumbley, Inouye, Sakamoto and Slom voting "No."

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1699) recommending that S.R. No. 17, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS," was adopted with Senators Anderson, Buen, Chumbley, Inouye, Sakamoto and Slom voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1700) recommending that S.C.R. No. 43, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1701) recommending that S.R. No. 23, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1702) recommending that S.C.R. No. 55, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1703) recommending that S.C.R. No. 65, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 65, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1704) recommending that S.C.R. No. 97, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and S.C.R. No. 97, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE," was adopted with Senators Anderson and Slom voting "No."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1705) recommending that S.R. No. 40, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 40, S.D. 2, entitled: "SENATE RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1706) recommending that S.C.R. No. 110, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1707) recommending that S.R. No. 48, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 48, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1708) recommending that S.C.R. No. 117 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY," was adopted with Senator Slom voting "Aye, with reservations."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1709) recommending that S.R. No. 55 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 55, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1710) recommending that S.C.R. No. 158, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 158, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1711) recommending that S.C.R. No. 194, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 194, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1712) recommending that S.C.R. No. 202 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1713) recommending that S.R. No. 88 be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 88, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1714)

recommending that S.C.R. No. 203, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 203, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO ESTABLISH A HISTORICAL DISTRICT COMMITTEE," was adopted with Senator Anderson voting "Aye, with reservations."

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1715) recommending that S.C.R. No. 210, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1716) recommending that the Senate consent to the nomination of GARY W.B. CHANG to the office of Judge, 14th Division, Circuit Court of the First Circuit, 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. 247.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1716 and Gov. Msg. No. 247 was deferred until Friday, April 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1717) recommending that the Senate consent to the nomination of JOSEPH E. CARDOZA to the office of Third Judge, Circuit Court of the Second Circuit, 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. 248.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1717 and Gov. Msg. No. 248 was deferred until Friday, April 16, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1718) recommending that the Senate consent to the nomination of CALVIN K. MURASHIGE to the office of Judge, District Court of the Fifth Circuit, for a term of six years, in accordance with the provisions of Section 604-2, Hawaii Revised Statutes, and in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1718 and Jud. Com. No. 1 was deferred until Friday, April 16, 1999.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

ADJOURNMENT

At 12:31 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 10:30 o'clock a.m., Friday, April 16, 1999.

FIFTIETH DAY

Friday, April 16, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 10:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Al Jones, Interim Director of The Youth Ministry for the Diocese of Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

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

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

Senator Hanabusa recognized and congratulated the first graduating class of the Hawaiian language immersion schools of Nawahikalaniopuu and Anuenue and introduced the following members of the Class of 1999: Kekuamanoa Burgess, Kananinohea Kawaiaea, Kauikeolani Naniole, Hulilauakea Wilson and Kalimahana Young from Nawahikalaniopuu; and Kaimalino Woo Andrade, Hoku Fox, Kaheao Naauao, Kaliko Palmeira, Aneala Lopez and Kini Kaakimaka from Anuenue. Accompanying the students were teachers Puanani Wilhelm and Alahalani Housman and student teacher Keahi Renaud.

Senator Sakamoto, with the assistance of Senators Inouye and M. Ige, introduced and congratulated the following Prudential Spirit of Community Award winners: Andrew Allshouse, Aaron Romero, Nina Yuen and Theresa Engel. Accompanying the honorees were Todd Thacker, vice president of the Prudential Insurance Company of America; Fred Borenstein, managing director of Prudential Financial Services in Hawaii; and Dayna Colbertson, a Hawaii Prudential representative.

Senator Kawamoto then introduced Lieutenant General Edwin P. Smith, Commanding General of the U.S. Army, Pacific, and his wife, Jan and extended a warm aloha to the General and his family.

At this time, the Chair appointed Senators Kawamoto, Anderson and Ihara to escort General Smith to the podium to address the members of the Senate.

General Smith addressed the members of the Senate and their guests as follows:

"Mr. President, distinguished members of the Hawaii State Senate, and friends, it is indeed a pleasure for my wife Jan and I to be formally introduced to all of you today. And it is so because, as I do every morning when I walk around the place known as Palm Circle on historic Ft. Shafter to work every morning at the headquarters that I work in, as I do so, I can't help but be overwhelmed every morning by the historic beauty and the beautiful setting in which I am lucky enough to work. I feel delighted . . . we both feel delighted to be back here on our second assignment in Hawaii commanding soldiers, especially among such loyal and supportive Americans as exist in this State.

"The Asia/Pacific theater in which those of my command serve is, as you know, big, diverse and important -- no doubt about that. Our role everyday is to engage all of the counterpart armies, regional armies, in the Asia/Pacific theater in ways that convince them of our professionalism and capabilities and also in ways that clearly demonstrate our leadership to help keep this region prosperous and stable. That's what we do, and our priorities to keep us ready to do that are three. First, trained and ready soldiers and units, highly deployable and ready for any

task that they might be called upon to do. Second, the welfare and positive growth of all of the people for which we are responsible. And third, and I think most important, a sincere commitment to the enduring values of the United States of America and the Army that has served us so well for over 200 years. And to that end, we pledge our best every day. You here and the rest of our countrymen in the United States of America deserve nothing less.

"I'd like to thank you, again, for your loyal, continuing, steady support of all of the soldiers that serve here in this theater, of all of their families of our great civilian workforce and everyone else. It's a privilege and a pleasure to be back.

"Mahalo."

At 11:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:31 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 288 to 323) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 288, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nominations of: YOU SOUKASEUM, term to expire June 30, 1999; DAVID FUERTES, term to expire June 30, 2001; JOHN ISOBE and LORRAINE M. MENDOZA, terms to expire June 30, 2002; and DAVID B. FISHER, JOYCE L.E. KAAIHUE and ALAN T. MURAKAMI, terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Defender Council, the nomination of ALFRED B. CASTILLO, JR., term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 290, submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of: JAY A. CAMBRA, D.D.S., terms to expire June 30, 1999 and June 30, 2003; and STANWOOD H. KANNA, D.D.S., term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nominations of: ALISON M. DINGLEY and THOMAS H. KAAIAI, JR., terms to expire June 30, 2001; JUDITH AKAMINE, term to expire June 30, 2002; and GARY L. BLAICH, M.D., GODREY "KAIPO" KEALALIO II and KEVIN KUNZ, M.D., terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 292, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nominations of: WAYNE T. HIKIDA, CLARA KATEKARU, FELY LIBRE, WINIFRED N. ODO, LINDA SPRATT, JILL N. TOKUDA and HARRIET O. YOSHIMORI, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 293, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nominations of: CLIFFORD R. SMITH and JAMES P. CHUNG, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nominations of: GAIL T. TOMINAGA, M.D., F.A.C.S., term to expire June 30, 2002; and VIRGINIA MARIE KAPALI, DELBERT M. NISHIMOTO, ANDY SCHWARTZ, M.D., TOBY L. CLAIRMONT and DARREN J. ROSARIO, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of MARY JUANITA TIWANAK, term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Board of Trustees, Hawai'i Public Employees Health Fund, the nominations of: JAMES H. YASUDA, term to expire June 30, 2000; and ROBERT S.J. HU, term to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of: WILLIAM "SPEEDY" BAILEY and JESSE DAVID CURB, M.D., terms to expire June 30, 2001; and PATTY FOLEY, DARRELL M. KIKUCHI, GAYLE H. MACKURA, STACY K. EVENSEN, VIVAN HO and SUSAN B. HUNT, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Honolulu Subarea Health Planning Council, the nomination of JOYCE INGRAM-CHINN, term to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 299, submitting for consideration and confirmation to the West Oahu Subarea Health Planning Council, the nominations of KATHLEEN DELAHANTY, JOYCE O'BRIEN and KHEN SEE ANG, M.D., terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of: RONALD T. HAYASHI, term to expire June 30, 2002; and KEVIN W. SYPWIEWSKI, ROY YAMAUCHI and ANN M. DITZLER, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Hawai'i County Subarea Health Planning Council, the nominations of KATHLEEN M. MISHINA, KAREN A.M. NORRIS, JOY A. MCELROY, M.D., IRENE A. NAGAO and STEVEN G. PAVAO, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of RICHARD M. GOODALE, M.D., EMMALINE K. IHU, RONALD Y. FUJIMOTO, M.D., and LANI J. YUKIMURA, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of: JUDY MCCORKLE, terms to expire June 30, 1999 and June 30, 2003; TIMOTHY T. SHIROMA, term to expire June 30, 2000; THOMAS R. FITZGERALD, JR., and PATRICIA MARY RAFFETTO, terms to expire June 30, 2001; and JOHN ORNELLAS, term to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Statewide Independent Living Council, the nominations of J. COURTNEY FITZSIMMONS, DONNA M. BUHRMAN, EPE ANDERSON, HEATHER PROUD, SHARON SHORE, LINDA WONG, LYN A. PASAK, LORI G. ODELL and RANDOLPH C. HACK, terms to expire June 30, 2002, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Island Burial Council, Island of Hawai'i, the nominations of CHARLES K.H. YOUNG and KEIKIALOHA KEKIPI, terms to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nominations of DANA NAONE HALL and MEI LEE WONG, terms to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nominations of LYNETTE P. TIFFANY and DUNCAN K. SETO, terms to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 308, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of: MARION M. JOY and ROSE MAY ENOS-KU, terms to expire June 30, 2002; and LUCY M. AKAU and CANDACE K. LEE, terms to expire June 30, 2003, was referred to the Committee on Education and Technology.

Gov. Msg. No. 309, submitting for consideration and confirmation to the State Council on Mental Health, the nominations of: LESLIE ROSS, Ph.D., term to expire June 30, 2001; and SHELLY A. ABE OGATA, KUHIO ASAM, M.D., POE SUA'AVA III, WILLIAM S. BUD BOWLES, MARILYN JEAN MOE and SANDRA JANE MIYOSHI, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 310, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nominations of: ROBERT M. GRANGER, terms to expire June 30, 1999 and June 30, 2003; and ROGERENE K.M. ARCE, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 311, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of BUSTER M. KOMORI and DAVID D.S. CHUN, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 312, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of RUDOLPH E. AHLO and DAWN L. HIRAI, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 313, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nominations of BARBARA J. DIRKS, O.D., FRANKLIN Y.P. LAU, O.D., and ERNEST K. OSHIRO, O.D., terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 314, submitting for consideration and confirmation to the State Advisory Council on Rehabilitation, the nominations of DOROTHY (NANI) FIFE, JAMES (JIM) C. BEAMAN and JOANNE H. KEALOHA, terms to expire

June 30, 2002, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 315, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nominations of: MEMITO N. ABLAN, JUNE J. NAKAMURA and MAILE V.O. ROMANOWSKI, terms to expire June 30, 2001; ISOO OSHIMA, KENNETH T. ONO, ANDREW L. NICKLES and JAMES E. COON, terms to expire June 30, 2002; and ROY SHIMONISHI, DENISE WALKER, ANN B. LEIGHTON and TIMOTHY MOORE, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 316, submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District (Oahu), the nominations of: CAROL RAE BAPTISTA, term to expire June 30, 2000; and CURTIS K. SAIKI and DON I. SAKAI, terms to expire June 30, 2003, was referred to the Committee on Ways and Means.

Gov. Msg. No. 317, submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District (Maui County), the nominations of: RANDOLPH R. CABANILLA, term to expire June 30, 2000; and MIMI S.J. HU, term to expire June 30, 2003, was referred to the Committee on Ways and Means.

Gov. Msg. No. 318, submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District (Hawai'i), the nomination of RICHARD SAKANISHI, term to expire June 30, 2003, was referred to the Committee on Ways and Means.

Gov. Msg. No. 319, submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District (Kauai), the nomination of JOSE R.S. DIOGO, term to expire June 30, 2003, was referred to the Committee on Ways and Means.

Gov. Msg. No. 320, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of RICHARD M. FUJIE, D.V.M., Ph.D., and LISSA W.G. KAM, D.V.M., terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 321, submitting for consideration and confirmation to the Commission on Water Resource Management, the nominations of BRIAN C. NISHIDA and HERBERT M. RICHARDS, JR., terms to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 322, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Water Treatment Plants, the nomination of RICHARD H. COX, term to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 323, submitting for consideration and confirmation to the State Commission on the Status of Women, the nominations of JANE RENFRO SMITH and LESLIE WILKINS, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

HOUSE COMMUNICATION

Hse. Com. No. 617, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1, H.D. 1 (S.D. 1);
H.B. No. 4, H.D. 1 (S.D. 1);
H.B. No. 8, H.D. 1 (S.D. 2);
H.B. No. 11, H.D. 1 (S.D. 1);

H.B. No. 20, H.D. 2 (S.D. 2);
H.B. No. 32, H.D. 2 (S.D. 2);
H.B. No. 37, H.D. 1 (S.D. 2);
H.B. No. 47, H.D. 1 (S.D. 1);
H.B. No. 71, H.D. 2 (S.D. 1);
H.B. No. 86 (S.D. 1);
H.B. No. 100, H.D. 1 (S.D. 1);
H.B. No. 104, H.D. 1 (S.D. 2);
H.B. No. 122, H.D. 2 (S.D. 1);
H.B. No. 133 (S.D. 1);
H.B. No. 138, H.D. 2 (S.D. 1);
H.B. No. 139, H.D. 1 (S.D. 2);
H.B. No. 140 (S.D. 2);
H.B. No. 142, H.D. 1 (S.D. 2);
H.B. No. 150, H.D. 2 (S.D. 1);
H.B. No. 157, H.D. 2 (S.D. 2);
H.B. No. 159, H.D. 2 (S.D. 2);
H.B. No. 161, H.D. 1 (S.D. 2);
H.B. No. 162, H.D. 1 (S.D. 2);
H.B. No. 167, H.D. 3 (S.D. 2);
H.B. No. 171, H.D. 2 (S.D. 2);
H.B. No. 172, H.D. 1 (S.D. 2);
H.B. No. 174 (S.D. 1);
H.B. No. 176, H.D. 2 (S.D. 2);
H.B. No. 177, H.D. 1 (S.D. 1);
H.B. No. 212, H.D. 1 (S.D. 1);
H.B. No. 232, H.D. 2 (S.D. 1);
H.B. No. 235, H.D. 2 (S.D. 2);
H.B. No. 252, H.D. 3 (S.D. 2);
H.B. No. 266, H.D. 2 (S.D. 2);
H.B. No. 273, H.D. 2 (S.D. 2);
H.B. No. 274, H.D. 3 (S.D. 2);
H.B. No. 294, H.D. 1 (S.D. 2);
H.B. No. 300, H.D. 1 (S.D. 1);
H.B. No. 314 (S.D. 2);
H.B. No. 318 (S.D. 1);
H.B. No. 325, H.D. 2 (S.D. 1);
H.B. No. 328, H.D. 1 (S.D. 2);
H.B. No. 333, H.D. 2 (S.D. 1);
H.B. No. 336, H.D. 1 (S.D. 1);
H.B. No. 351, H.D. 2 (S.D. 1);
H.B. No. 353, H.D. 2 (S.D. 1);
H.B. No. 374, H.D. 2 (S.D. 1);
H.B. No. 375, H.D. 1 (S.D. 1);
H.B. No. 377, H.D. 2 (S.D. 2);
H.B. No. 389 (S.D. 1);
H.B. No. 411, H.D. 1 (S.D. 1);
H.B. No. 424, H.D. 2 (S.D. 2);
H.B. No. 440, H.D. 2 (S.D. 2);
H.B. No. 460, H.D. 2 (S.D. 1);
H.B. No. 499, H.D. 2 (S.D. 2);
H.B. No. 500, H.D. 3 (S.D. 1);
H.B. No. 510, H.D. 1 (S.D. 2);
H.B. No. 512, H.D. 2 (S.D. 2);
H.B. No. 519 (S.D. 2);
H.B. No. 522, H.D. 3 (S.D. 2);
H.B. No. 531 (S.D. 2);
H.B. No. 532, H.D. 3 (S.D. 2);
H.B. No. 547, H.D. 3 (S.D. 2);
H.B. No. 557, H.D. 2 (S.D. 1);
H.B. No. 562 (S.D. 2);
H.B. No. 582, H.D. 2 (S.D. 2);
H.B. No. 632, H.D. 2 (S.D. 1);
H.B. No. 634, H.D. 1 (S.D. 1);
H.B. No. 635, H.D. 2 (S.D. 1);
H.B. No. 645 (S.D. 2);
H.B. No. 657, H.D. 2 (S.D. 1);
H.B. No. 658, H.D. 1 (S.D. 1);
H.B. No. 661, H.D. 3 (S.D. 2);
H.B. No. 664, H.D. 1 (S.D. 1);
H.B. No. 677, H.D. 1 (S.D. 2);
H.B. No. 700, H.D. 1 (S.D. 2);
H.B. No. 715 (S.D. 1);
H.B. No. 718, H.D. 1 (S.D. 2);
H.B. No. 747, H.D. 1 (S.D. 2);
H.B. No. 749, H.D. 3 (S.D. 2);

H.B. No. 753, H.D. 2 (S.D. 2);
 H.B. No. 756, H.D. 2 (S.D. 2);
 H.B. No. 765, H.D. 1 (S.D. 2);
 H.B. No. 797, H.D. 2 (S.D. 1);
 H.B. No. 806, H.D. 2 (S.D. 2);
 H.B. No. 827, H.D. 3 (S.D. 1);
 H.B. No. 830, H.D. 1 (S.D. 2);
 H.B. No. 855, H.D. 1 (S.D. 1);
 H.B. No. 895, H.D. 2 (S.D. 2);
 H.B. No. 898, H.D. 2 (S.D. 1);
 H.B. No. 945, H.D. 1 (S.D. 1);
 H.B. No. 949, H.D. 2 (S.D. 2);
 H.B. No. 955, H.D. 1 (S.D. 1);
 H.B. No. 978 (S.D. 1);
 H.B. No. 980, H.D. 2 (S.D. 1);
 H.B. No. 985, H.D. 1 (S.D. 2);
 H.B. No. 988, H.D. 2 (S.D. 2);
 H.B. No. 989, H.D. 1 (S.D. 2);
 H.B. No. 990, H.D. 1 (S.D. 1);
 H.B. No. 997, H.D. 1 (S.D. 1);
 H.B. No. 999, H.D. 1 (S.D. 1);
 H.B. No. 1006, H.D. 2 (S.D. 2);
 H.B. No. 1008 (S.D. 2);
 H.B. No. 1012, H.D. 1 (S.D. 1);
 H.B. No. 1017, H.D. 1 (S.D. 2);
 H.B. No. 1018, H.D. 2 (S.D. 1);
 H.B. No. 1020, H.D. 2 (S.D. 2);
 H.B. No. 1028, H.D. 1 (S.D. 1);
 H.B. No. 1035, H.D. 1 (S.D. 2);
 H.B. No. 1037 (S.D. 1);
 H.B. No. 1038, H.D. 1 (S.D. 2);
 H.B. No. 1041, H.D. 2 (S.D. 2);
 H.B. No. 1048, H.D. 1 (S.D. 1);
 H.B. No. 1063, H.D. 1 (S.D. 1);
 H.B. No. 1071, H.D. 1 (S.D. 2);
 H.B. No. 1073, H.D. 1 (S.D. 2);
 H.B. No. 1079, H.D. 3 (S.D. 1);
 H.B. No. 1080, H.D. 2 (S.D. 1);
 H.B. No. 1083, H.D. 2 (S.D. 1);
 H.B. No. 1088, H.D. 2 (S.D. 2);
 H.B. No. 1095, H.D. 1 (S.D. 2);
 H.B. No. 1111, H.D. 2 (S.D. 2);
 H.B. No. 1115, H.D. 2 (S.D. 1);
 H.B. No. 1117, H.D. 3 (S.D. 2);
 H.B. No. 1119, H.D. 1 (S.D. 1);
 H.B. No. 1138, H.D. 1 (S.D. 2);
 H.B. No. 1142, H.D. 3 (S.D. 2);
 H.B. No. 1145 (S.D. 2);
 H.B. No. 1146 (S.D. 2);
 H.B. No. 1153, H.D. 1 (S.D. 1);
 H.B. No. 1160, H.D. 1 (S.D. 2);
 H.B. No. 1166, H.D. 1 (S.D. 2);
 H.B. No. 1170, H.D. 2 (S.D. 1);
 H.B. No. 1172, H.D. 2 (S.D. 1);
 H.B. No. 1177, H.D. 2 (S.D. 1);
 H.B. No. 1178, H.D. 1 (S.D. 1);
 H.B. No. 1181, H.D. 1 (S.D. 2);
 H.B. No. 1183, H.D. 2 (S.D. 2);
 H.B. No. 1186 (S.D. 1);
 H.B. No. 1197, H.D. 2 (S.D. 1);
 H.B. No. 1198, H.D. 1 (S.D. 1);
 H.B. No. 1267, H.D. 1 (S.D. 2);
 H.B. No. 1280, H.D. 2 (S.D. 2);
 H.B. No. 1296, H.D. 1 (S.D. 1);
 H.B. No. 1361, H.D. 2 (S.D. 2);
 H.B. No. 1409, H.D. 2 (S.D. 1);
 H.B. No. 1411, H.D. 1 (S.D. 1);
 H.B. No. 1416, H.D. 2 (S.D. 2);
 H.B. No. 1450, H.D. 1 (S.D. 2);
 H.B. No. 1454, H.D. 2 (S.D. 2);
 H.B. No. 1460, H.D. 2 (S.D. 2);
 H.B. No. 1471, H.D. 1 (S.D. 1);
 H.B. No. 1497, H.D. 1 (S.D. 1);
 H.B. No. 1522, H.D. 1 (S.D. 1);
 H.B. No. 1575, H.D. 2 (S.D. 1);
 H.B. No. 1593, H.D. 1 (S.D. 2);

H.B. No. 1620, H.D. 1 (S.D. 2);
 H.B. No. 1622, H.D. 1 (S.D. 1);
 H.B. No. 1624, H.D. 2 (S.D. 1);
 H.B. No. 1628 (S.D. 2);
 H.B. No. 1636, H.D. 2 (S.D. 1);
 H.B. No. 1637, H.D. 2 (S.D. 2);
 H.B. No. 1641, H.D. 1 (S.D. 2);
 H.B. No. 1649, H.D. 2 (S.D. 1);
 H.B. No. 1660, H.D. 2 (S.D. 1);
 H.B. No. 1663, H.D. 2 (S.D. 2);
 H.B. No. 1664, H.D. 3 (S.D. 1);
 H.B. No. 1683, H.D. 2 (S.D. 2);
 H.B. No. 1693, H.D. 1 (S.D. 1);
 H.B. No. 1711, H.D. 2 (S.D. 1); and
 H.B. No. 1726, H.D. 1 (S.D. 1),

was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1719) recommending that the Senate advise and consent to the nominations of SHARI W. CHANG, MARK ROLFING, KEITH VIEIRA, RON WRIGHT, W. DAVID P. CAREY III, GARY J. BALDWIN, GILBERT M. KIMURA, DIANE S. QUITIQUIT, JOHN LINN REED and ROY TOKUJO to the Board of Directors, Hawai'i Tourism Authority, in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1719 and Gov. Msg. No. 202 was deferred until Monday, April 19, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1720) recommending that the Senate advise and consent to the nominations of JOAN WHITE, W. ROY JOHNSON, GERALD OKAMOTO, WILLIAM T. HONJIYO, DIANE ROSE MACHA, NORMAN JANICKI, JR., and KA'IULANI DE SILVA to the Hawai'i School-to-Work Opportunities Executive Council, in accordance with Gov. Msg. No. 237.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1720 and Gov. Msg. No. 237 was deferred until Monday, April 19, 1999.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1721) recommending that the Senate advise and consent to the nomination of JAMES J. NAKATANI as Chairperson, Board of Agriculture, in accordance with Gov. Msg. No. 144.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1721 and Gov. Msg. No. 144 was deferred until Monday, April 19, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1722) recommending that the Senate advise and consent to the nomination of SEIJI F. NAYA, Ph.D., as Director of Business, Economic Development, and Tourism, in accordance with Gov. Msg. No. 147.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1722 and Gov. Msg. No. 147 was deferred until Monday, April 19, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1723) recommending that the Senate advise and consent to the nomination of EDWARD V. RICHARDSON as Adjutant General, in accordance with Gov. Msg. No. 149.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1723 and Gov. Msg. No. 149 was deferred until Monday, April 19, 1999.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1724) recommending that the Senate advise and consent to the nomination of KAZU HAYASHIDA as Director of Transportation, in accordance with Gov. Msg. No. 158.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1724 and Gov. Msg. No. 158 was deferred until Monday, April 19, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1616 (Gov. Msg. No. 184):

Senator Fukunaga moved that Stand. Com. Rep. No. 1616 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of MARCELLA SETO CHOCK, Pharm.D., to the Drug Product Selection Board, term to expire June 30, 2002, seconded by Senator Levin.

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

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

Stand. Com. Rep. No. 1617 (Gov. Msg. No. 246):

Senator Nakata moved that Stand. Com. Rep. No. 1617 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations of ROGER BABCOCK JR., Ph.D., SOLOMON K. NAONE JR., JOSE M. PADRON and BERT UYENO to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire June 30, 2003, seconded by Senator M. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Iwase).

Stand. Com. Rep. No. 1716 (Gov. Msg. No. 247):

Senator Chumbley moved that Stand. Com. Rep. No. 1716 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of GARY W.B. CHANG as Judge of the 14th Division, Circuit Court of the First Circuit, 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. 247, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the nominee and said:

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

"Mr. President, I have more extensive comments I'd like inserted into the Journal, but let me please summarize by saying that Mr. Chang's appointment comes with great community support and is very well deserved. I am confident that Mr. Chang's commitment for excellence will enhance and protect the quality of life for all of us in our community.

"I urge my colleagues to consent to this nomination.

"Thank you, Mr. President."

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

"Mr. President and members, Gary Chang holds a Bachelor's degree from the University of Hawaii at Manoa and a J.D. degree from the University of Gonzaga Law School. Mr. Chang has 20 years of law experience and has served as a State Deputy Attorney General. He is also a member of the Hawaii State Bar Association, the American Bar Association and Na Hoaloaha O McKinley.

"During the Senate Judiciary Committee hearing, the Committee heard his views on pressing community issues such as tort reform, community service, and the balance of powers between the judicial branch and the legislative branch of government. The Committee also heard several members of the legal community as well as organizations and private citizens come forward to voice their overwhelming support for Mr. Chang. To quote some of the testimony that was reiterated several times -- 'Gary Chang is a fair-minded, humble, compassionate, and hard-working individual with a great sense of humor.' 'Mr. Chang possesses the legal knowledge and ability, professional experience, judicial temperament, and impartiality needed to be qualified as a judge in the First Circuit Court.'

"As you can see, this appointment comes with great community support and is well deserved. I am confident that Mr. Chang's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination."

Senator Chun rose in support of the nominee and stated:

"Mr. President, I also urge my colleagues to vote in favor of the advice and consent of Mr. Chang as a Circuit Court Judge of the First Circuit.

"I knew Mr. Chang when I first went to law school at Gonzaga University School of Law. One of the first people I met from Hawaii was Mr. Chang and I was awed by his knowledge and humor. That continued after we all graduated and took the bar exam and when he was working in various positions within the state as a lawyer. I was always awed by his knowledge of the law and his commitment to excellence.

"Mr. President, I received several faxes from my fellow colleagues from Gonzaga University School of Law and they wanted to be sure that their position was known and that his antics would not go unnoticed, but I decided against reading them here. But suffice to say that Mr. Chang's knowledge of the law, his humanity and his commitment to excellence will bring much credit to the judicial profession.

"I urge my colleagues to vote in favor of this measure.

"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).

Stand. Com. Rep. No. 1717 (Gov. Msg. No. 248):

Senator Chumbley moved that Stand. Com. Rep. No. 1717 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of JOSEPH E. CARDOZA as Third Judge of the Circuit Court of the Second Circuit, 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. 248, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and said:

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

"On behalf of Senators Tanaka and Buen, I want to urge our colleagues to support this nomination.

"As you may know, Joe Cardoza has been very active both in the legal community in his profession as president of the Maui Bar Association, president of the Hawaii Prosecuting Attorneys Association, and numerous community activities. Some of the words that came to mind during the confirmation hearing were, that he was very trustworthy, compassionate, hardworking, possesses the highest level of integrity and professionalism for his work.

"Mr. President, we believe that Mr. Cardoza will make an excellent judge for Maui and we want to urge all of our colleagues to support this confirmation.

"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).

Stand. Com. Rep. No. 1718 (Jud. Com. No. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 1718 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of CALVIN K. MURASHIGE as Judge of the District Court of the Fifth Circuit, for a term of six years, in accordance with the provisions of Section 604-2, Hawaii Revised Statutes, and in accordance with Jud. Com. No. 1, seconded by Senator Matsunaga.

Senator Chumbley rose to support the confirmation as follows:

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

"On behalf of my colleague from Kauai, we also want to urge our colleagues to support this nomination.

"Calvin Murashige has been very active, both in the legal community and different organizations such as the Boy Scouts and the Lihue Christian Church on Kauai. I think many of the people on Kauai look up to him and respect his community involvement and professional involvement for the years that he has been contributing to the Island of Kauai.

"We have found him to be extremely competent and of high moral character, caring and fair, and also very compassionate, and we believe that he would be an excellent judge to the bench on Kauai and we urge all our colleagues to support him.

"Thank you."

Senator Chun also rose to support the nominee as follows:

"Mr. President, I also urge all my colleagues to support this nomination.

"Mr. Murashige's reputation in the community is completely spotless and his dedication to the law is only second to his dedication to his family. I had the pleasure of serving with Mr. Murashige on the board of the Ae Kamali'i Preschool where

I've come to know him as a very straight forward and honest person who really cares about the children. I'm very, very happy with the nomination and I urge all my colleagues to support him.

"Thank you very much."

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

Ayes, 23. Noes, none. Excused, 2 (Iwase, Kawamoto).

At this time, Senator Chumbley introduced Judge Gary W.B. Chang, Judge Joseph E. Cardoza and Judge Calvin K. Murashige who were seated in the gallery with their families and friends.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege.

"At 5:30 this morning, Mr. President, I was reading the Advertiser. I'm lucky we get it early. And it says, 'The Governor Threatens to Pardon Inmates.' One of the things that disturbed me was that he more or less said it was because of non-funding and nobody has guts here to speak up. Now, we did mention that the other day that it was not in the budget, and I felt that was very wrong, just as Senator Slom said over and over. But we've got to also remember the Governor has moved it maybe to five different areas on the Big Island so that he can be friends with everybody. We have three Senators here from the Big Island that may not want it in their backyard. But I want to let you know that in Kailua we have the Boys Home, the Girls Home. We now have the Women's Prison. We have all kinds of abusive homes. Anything that the public would be concerned about, we have. I've also said that since we have the rubbish dump and they want to build another one, we'll take it if we could get all the employees. But they wouldn't do that.

"I think what bothers me about his statement, though, Mr. President, is he said a lot of it is pork barrel, and he's going to hold it back. Well, that may be true, but let me tell you, when we were looking at trying to come up with some CIP, we wanted to make sure that we did the best we could for our district. For instance, for a few years now we've been trying to get the Waimanalo Intermediate School basketball court, which is outdoors, resurfaced. I think it's \$30,000, but we give him a billion-dollar budget for our construction and, to the best of my knowledge, that resurfacing has not happened yet. I also said I would back Representative Goodenow because he wanted \$117,000, I think, for Kailua Library. Now the wastewater management is for everybody and I said I would back that.

"I think the Governor has got to understand. First of all, he's got to make sure now it's Kulani. But once he has said he is going to have the prison there, then he can come down and try to get votes. He may call you guys, upstairs, but he sure as hell doesn't walk downstairs. And every governor that I've known, even long before I got in . . . Governor Burns came down -- he was interested in votes, not in parties -- so did Governor Ariyoshi, so did Governor Waihee. But you come down and you ask -- we need this; we have to have it. You don't stay up in your little tower.

"Another thing that bothers me is he said that Mr. Anzai told him that this is a good time to borrow money, not to have private enterprise. Private enterprise couldn't do the job, evidently, yet we're sending our prisoners to the Mainland to private prisons. Why is it that if they're not good, we're sending them there? Why couldn't we find someone in private enterprise to build a prison that's going to give you high security, medium security, low security, whatever you need? There's enough data that he could get. If I could ask my staff (they're very short-handed) and if I gave them a couple of days, they could find out all of the information on private prisons on

the Mainland -- Who's failed? Why? How? We found out from the National Conference of State Legislators that by bidding, sometimes they have cheated the prison inmates by not feeding them properly because they bid too low. They didn't do well for the guards because they held back on the number of guards. Consequently, they got a lot of overtime, but there wasn't enough guards to do the job. There's all kinds of data that we have, my friends.

"And then you have the Speaker of the House who I believe is saying that not all of the projects that they have over there are pork, they're for the good of the people. If we're going to show leadership over here, we have to make sure, Mr. President, that the Governor comes down, he talks to the Senate, tells them what their priorities are. And when I say all of us, I mean all of us. I talked to him a couple of years ago. We had some good ideas, but they didn't figure in certain things that they should have. Then he said, 'God, if we figure that in then we don't have to subsidize.' But then the next year that project was gone. It's no longer a priority. You see, if a project is good today, it's good tomorrow; it's good the next day. We don't have the type of people in leadership that are doing this right now, and it's frustrating and it's bothering me, and I'm sure it bothers Senator Slom. It should be bothering you.

"I had many, many people yesterday that are employed, they're long time Democrats. They said, 'What's happening to our institution? What are you guys doing?' And I said we stand on the floor but we don't have the votes; you have the votes and you're not exercising them. Either you don't want to agree with someone because he or she happens to be a Republican, or this is going to be very, very bad for my uncle's cousin's brother. I've got a genealogy upstairs that will make you sick. Everybody said, you know, they think we come from Mars. I've got more family than the man in the moon. When I stand up here, I represent, I believe, as many people as I can. If it hurts some, I'm awfully sorry. It's to benefit the most.

"So, Mr. President, regardless of what the Governor thinks of this Senate, I believe that he should come down and talk to us, let us know where his priorities are. He himself has got to start making some decisions. And Mr. President, we have to start making some tough decisions. That's what we were elected for, hired for, whatever anybody wants to say the reason that we're here, but we owe the people of Hawaii to make tough decisions, not to look at what's best for an individual friend, or a group, or ourselves.

"Thank you very much, Mr. President."

Senator Slom also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I echo the words and sentiments of the Minority Leader -- things that we've said for quite some time -- but I did want to clear up a misconception, Mr. President. Some people thought that I wrote the speech for the Governor, since he was borrowing heavily from words that had been attributed to me in the past, but I assure you, Mr. President, I did not.

"I can understand the Governor's frustration, because the ratio of Majority Party to Minority Party is 23 to 2, here, so I can understand why he has a difficult time getting his things through. But when he makes the charge that we're a 'do-nothing' body, Mr. President, I take personal umbrage at that because he's not been down here to see the number of beauty contestants that we honor. He's not been down here to see the strange fruits and vegetables that we have distributed. He's not been here to witness the chin-ups and the push-ups and the belly-flops and the things that we do here and the former politicians that we've honored.

"So, my colleagues, we still have ten days left, and I'm still confident. I'm not that disappointed yet. I still think that we

can do things and accomplish things, because in your hearts you know the right thing to do. And in the end, when you have to vote and your name has to be attributed to that vote and that position, whether it be taxes or regulation or bureaucracy, I'm confident that you will do the right thing.

"Thank you, Mr. President."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 19, 1999.

FIFTY-FIRST DAY

Monday, April 19, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Marie Rosso, Maryknoll Sisters, after which the Roll was called showing all Senators present.

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

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

Senator D. Ige introduced and congratulated the following representatives of the award-winning University of Hawaii William S. Richardson School of Law Moot Court team: Belinda Hall, Raina Mead, Duane Seabolt, Chris Wong and Elijah Yip.

Senator D. Ige, in recognition of the success of the American Youth Soccer Organization (AYSO) on the occasion of its 25th anniversary, introduced the following AYSO representatives: Max Sword, state director of AYSO; Mark Stewart, area director for east Oahu; Brendan Cravalho, area director for west Oahu; and Ralph Halquist, vice president of sales and marketing for Meadow Gold which has been a sponsor of AYSO in Hawaii for 25 years.

At 11:51 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 324 to 344) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 324, dated March 29, 1999, transmitting the 1998 Annual Report of the High Technology Development Corporation, pursuant to Chapter 206M, HRS, was placed on file.

Gov. Msg. No. 325, dated April 6, 1999, transmitting the Department of the Attorney General Annual Report for Fiscal Year 1999, Report of the Collections Unit - Collection of Older Accounts Receivables, pursuant to Act 130, SLH 1998, was placed on file.

Gov. Msg. No. 326, dated April 6, 1999, transmitting the 1998 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 Support Division, pursuant to Section 210D-14, HRS, was placed on file.

Gov. Msg. No. 327, dated April 7, 1999, transmitting the 1999 Report to the Governor on Workforce Development, prepared by the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, pursuant to Section 202-2, HRS, was placed on file.

Gov. Msg. No. 328, informing the Senate that on April 12, 1999, he signed into law Senate Bill No. 922 as Act 11, entitled: "RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE," was placed on file.

Gov. Msg. No. 329, informing the Senate that on April 13, 1999, he signed into law Senate Bill No. 1122 as Act 12, entitled: "RELATING TO FIREARMS," was placed on file.

Gov. Msg. No. 330, informing the Senate that on April 15, 1999, he signed the following bills into law:

House Bill No. 622 as Act 13, entitled: "RELATING TO HEALTH INSURANCE";

House Bill No. 849 as Act 14, entitled: "RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS";

House Bill No. 992 as Act 15, entitled: "RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION";

House Bill No. 1034 as Act 16, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1114 as Act 17, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1430 as Act 18, 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 OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 1444 as Act 19, entitled: "RELATING TO THE DISPOSITION OF NOTARY RECORDS"; and

House Bill No. 1485 as Act 20, entitled: "RELATING TO DISTRICT COURT,"

was placed on file.

Gov. Msg. No. 331, advising the Senate of the withdrawal of the nomination to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, under Gov. Msg. No. 244 dated March 11, 1999, was placed on file.

In compliance with Gov. Msg. No. 331, the nomination listed under Gov. Msg. No. 244 was returned.

Gov. Msg. No. 332, advising the Senate of the withdrawal of the nomination of KEVIN KUNZ, M.D., to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, under Gov. Msg. No. 291 dated April 15, 1999, was placed on file.

In compliance with Gov. Msg. No. 332, the nomination listed under Gov. Msg. No. 291 was returned.

Gov. Msg. No. 333, submitting for consideration and confirmation to the Contractors License Board, the nominations of: STANLEY A. WADA, term to expire June 30, 2000; and CLYDE J. EUGENIO, ERNIE BELLO and KENNETH T. TOKUNAGA, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 334, submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nominations of: VIRGINIA M. PRESSLER, M.D., term to expire June 30, 2000; EVELYN CHONG, term to expire June 30, 2002; and ESPERANZA N. CADAVONA, KATHERINE ANNE O'REILLY, JOHN L. NOLAND, CHARLES C. DUARTE, HELEN SMALLEY-BOWER, LAMBERT K. WAI, DAVID PFEIFFER, Ph.D., DIRK K. WASANO and MILLICENT L.K. ROGERS, terms to expire

June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 335, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nominations of: WAYNE M.T. LU, term to expire June 30, 2000; and NORMAN H. OKAMURA, Ph.D., and B. MARTIN LUNA, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 336, submitting for consideration and confirmation to the Board of Directors, Hawai'i Strategic Development Corporation, the nominations of: JONATHAN A. KOBAYASHI, term to expire June 30, 2001; RICHARD L. LIM, term to expire June 30, 2002; and DAVID A. OKA, TETSU AIKO, WILLIAM M. MCKILLOP and PHILIP M. JOHNSON, Ph.D., terms to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 337, submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of BENJAMIN M. ONO, M.D., THOMAS SIDNEY KOSASA, M.D., RAMON K. SY, M.D., and ANN H. KOBAYASHI, terms to expire June 30, 2003, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 338, submitting for consideration and confirmation to the Board of Directors, Natural Energy Laboratory of Hawai'i Authority, the nomination of BARRY T. MIZUNO, term to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 339, submitting for consideration and confirmation to the State Board of Nursing, the nominations of BARBARA K. IDETA, R.N., STEPHEN A. KULA, Ph.D., SANDRA MARIE MYERS, L.P.N., and KENDALL DEBORAH SHARPLESS, R.N., terms to expire June 30, 2002, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 340, submitting for consideration and confirmation to the Board of Regents, University of Hawai'i, the nomination of SAT KHALSA, term to expire June 30, 2001, was referred to the Committee on Education and Technology.

Gov. Msg. No. 341, advising the Senate that the nominations to the Statewide Health Coordinating Council under Gov. Msg. No. 297, dated April 15, 1999, have been amended as follows: WILLIAM "SPEEDY" BAILEY and JESS DAVID CURB, M.D., terms to expire June 30, 2001; and PATTY FOLEY, DARRELL M. KIKUCHI, GAYLE H. MACKURA, STACY K. EVENSEN, VIVAN HO and SUSAN B. HUNT, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 342, advising the Senate that the nominations to the Windward Oahu Subarea Health Planning Council under Gov. Msg. No. 300, dated April 15, 1999, have been amended as follows: RONALD T. HAYASHI, term to expire June 30, 2002; and KEVIN W. SYPNIEWSKI, ROY YAMAUCHI and ANN M. DITZLER, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 343, advising the Senate that the terms to expire of the nominations to the Small Business Regulatory Review Board under Gov. Msg. No. 315, dated April 15, 1999, have been amended as follows: MEMITO N. ABLAN, JUNE J. NAKAMURA and MAILE V.O. ROMANOWSKI, terms to expire June 30, 2000; ISOO OSHIMA, KENNETH T. ONO, ANDREW L. NICKLES and JAMES E. COON, terms to expire June 30, 2001; and ROY SHIMONISHI, DENISE WALKER, ANN B. LEIGHTON and TIMOTHY MOORE, terms to expire June 30, 2002, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 344, advising the Senate that the nomination to the Board of Taxation Review, Third Taxation District (Hawai'i), under Gov. Msg. No. 318, dated April 15, 1999, has been amended as follows: RICHARD SAKANASHI, term to expire June 30, 2003, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 33, from the State Auditor dated April 9, 1999, transmitting a report, "Fiscal Accountability of the Department of Education: Tracking Responsibility for Utility Costs," (Report No. 99-16), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 618 and 619) were read by the Clerk and were placed on file:

Hse. Com. No. 618, 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 matter of said amendments, the Speaker on April 19, 1999, 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, Hamakawa, co-chairmen, Lee, Takai, Moses.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 4, H.D. 1 (S.D. 1):

Representatives Hiraki, P. Oshiro, co-chairmen, Goodenow, Moses.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 8, H.D. 1 (S.D. 2):

Representatives Hiraki, P. Oshiro, Goodenow, co-chairmen, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 11, H.D. 1 (S.D. 1):

Representatives Hiraki, chairman, Morita, Rath.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 20, H.D. 2 (S.D. 2):

Representatives P. Oshiro, Takamine, co-chairmen, Lee, Marumoto.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Taniguchi, Fukunaga, Levin, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 32, H.D. 2 (S.D. 2):

Representatives Abinsay, P. Oshiro, Garcia, co-chairmen, Thielen.

In accordance therewith, the President appointed Senators Inouye, Matsunaga, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 37, H.D. 1 (S.D. 2):

Representatives Herkes, Takai, Luke, co-chairmen, Suzuki, Leong.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 71, H.D. 2 (S.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 72, H.D. 2 (S.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara as managers on the part of the Senate at such conference.

H.B. No. 83, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Chang, Hamakawa, Takumi, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 86 (S.D. 1):

Representatives Takamine, chairman, Kawakami, Nakasone, Marumoto.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 98, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Takamine, co-chairmen, Nakasone, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 100, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 104, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Catalani, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Nakata, Slom as managers on the part of the Senate at such conference.

H.B. No. 122, H.D. 2 (S.D. 1):

Representatives Herkes, Nakasone, co-chairmen, Suzuki, Rath.

In accordance therewith, the President appointed Senators Tam, chairman, Hanabusa, Anderson as managers on the part of the Senate at such conference.

H.B. No. 133 (S.D. 1):

Representatives Herkes, Menor, Kawakami, co-chairmen, Luke, Suzuki, Whalen.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 138, H.D. 2 (S.D. 1):

Representatives Abinsay, Hamakawa, co-chairmen, Kaho'ohalahala, Whalen.

In accordance therewith, the President appointed Senators Inouye, Chumbley, Matsunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 139, H.D. 1 (S.D. 2):

Representatives Herkes, Yoshinaga, Saiki, co-chairmen, Luke, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Kawamoto, Fukunaga, Levin, co-chairmen, Bunda, Iwase as managers on the part of the Senate at such conference.

H.B. No. 140 (S.D. 2):

Representatives Herkes, Yoshinaga, Luke, co-chairmen, Saiki, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Kawamoto, Fukunaga, Levin, co-chairmen, Bunda, Iwase as managers on the part of the Senate at such conference.

H.B. No. 142, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Catalani, Nakasone, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Nakata, Fukunaga, co-chairmen, Chun Oakland, D. Ige, Ihara, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 150, H.D. 2 (S.D. 1):

Representatives Ito, P. Oshiro, Takamine, co-chairmen, Kawakami.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, Chumbley, Matsunaga, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 154, H.D. 1 (S.D. 1):

Representatives Takai, Kawakami, co-chairmen, Ahu Isa, Stegmaier, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Chumbley, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 157, H.D. 2 (S.D. 2):

Representatives Hamakawa, Garcia, Saiki, co-chairmen, Pendleton.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 159, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Hamakawa, co-chairmen, Garcia, Nakasone, Moses.

In accordance therewith, the President appointed Senators Nakata, Chumbley, Matsunaga, co-chairmen, Chun Oakland, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 160 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Lee, Takumi, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 161, H.D. 1 (S.D. 2):

Representatives P. Oshiro, Saiki, co-chairmen, Lee, Luke, Thielen.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 162, H.D. 1 (S.D. 2):

Representatives Kanoho, Hamakawa, Takamine, co-chairmen, Ahu Isa, Halford.

In accordance therewith, the President appointed Senators Chumbley, Fukunaga, co-chairmen, D. Ige, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 165, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Chang, Hamakawa, Takumi.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 167, H.D. 3 (S.D. 2):

Representatives Hiraki, P. Oshiro, Goodenow, co-chairmen, Nakasone, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, Matsunaga, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 170, H.D. 2 (S.D. 1):

Representatives Arakaki, Santiago, Menor, Kawakami, co-chairmen, Suzuki, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 171, H.D. 2 (S.D. 2):

Representatives Santiago, P. Oshiro, co-chairmen, Lee, Thielen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 172, H.D. 1 (S.D. 2):

Representatives Santiago, Lee, Kawakami, co-chairmen, Kahikina, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 174 (S.D. 1):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 176, H.D. 2 (S.D. 2):

Representatives Santiago, Suzuki, co-chairmen, Goodenow, Kahikina, Leong.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 177, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 212, H.D. 1 (S.D. 1):

Representatives Hiraki, Hamakawa, co-chairmen, Goodenow, Whalen.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, Matsunaga, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 221, H.D. 2 (S.D. 1):

Representatives Chang, Ahu Isa, co-chairmen, Suzuki, Halford.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 232, H.D. 2 (S.D. 1):

Representatives Herkes, Takamine, co-chairmen, Goodenow, Nakasone, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 235, H.D. 2 (S.D. 2):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Kahikina, Moses.

In accordance therewith, the President appointed Senators Hanabusa, Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Chun, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 248, H.D. 1 (S.D. 1):

Representatives Morihara, Saiki, co-chairmen, Schatz, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Chumbley, Slom as managers on the part of the Senate at such conference.

H.B. No. 252, H.D. 3 (S.D. 2):

Representatives Morihara, Menor, Ahu Isa, co-chairmen, Kawakami, Leong.

In accordance therewith, the President appointed Senators D. Ige, Kanno, Taniguchi, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 260, H.D. 2 (S.D. 1):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, Pendleton.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

H.B. No. 266, H.D. 2 (S.D. 2):

Representatives Yoshinaga, P. Oshiro, co-chairmen, Catalani, Lee, Pendleton.

In accordance therewith, the President appointed Senators Nakata, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 273, H.D. 2 (S.D. 2):

Representatives Arakaki, P. Oshiro, co-chairmen, Kahikina, Lee, Whalen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 274, H.D. 3 (S.D. 2):

Representatives Arakaki, P. Oshiro, Saiki, co-chairmen, Lee, Whalen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 294, H.D. 1 (S.D. 2):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Leong.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 300, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 307, H.D. 2 (S.D. 1):

Representatives Takai, Kanoho, co-chairmen, Schatz, Suzuki, Marumoto.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 310, H.D. 1 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Goodenow, Meyer.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 314 (S.D. 2):

Representatives Takai, Kanoho, co-chairmen, Stegmaier, Fox.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Bunda, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 318 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Goodenow, Meyer.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 325, H.D. 2 (S.D. 1):

Representatives Santiago, Menor, P. Oshiro, co-chairmen, Garcia, Leong.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 326, H.D. 1 (S.D. 1):

Representatives Santiago, Arakaki, Menor, Yamane, co-chairmen, McDermott.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 328, H.D. 1 (S.D. 2):

Representatives Santiago, Menor, co-chairmen, Lee, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, co-chairmen, Bunda, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 333, H.D. 2 (S.D. 1):

Representatives Abinsay, Takamine, co-chairmen, Saiki, Suzuki, Rath.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 336, H.D. 1 (S.D. 1):

Representatives Abinsay, Saiki, co-chairmen, Morihara, Suzuki, Rath.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, D. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 351, H.D. 2 (S.D. 1):

Representatives Santiago, Menor, Hamakawa, co-chairmen, Garcia, Whalen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Kanno, Anderson as managers on the part of the Senate at such conference.

H.B. No. 353, H.D. 2 (S.D. 1):

Representatives Menor, Suzuki, co-chairmen, Cachola, Nakasone, Fox.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 374, H.D. 2 (S.D. 1):

Representatives Abinsay, Takamine, co-chairmen, Saiki, Suzuki, Rath.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 375, H.D. 1 (S.D. 1):

Representatives Takamine, Herkes, Arakaki, Menor, co-chairmen, Nakasone, Souki, Suzuki, Meyer, Whalen.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Chun Oakland, Nakata, Anderson as managers on the part of the Senate at such conference.

H.B. No. 377, H.D. 2 (S.D. 2):

Representatives Takamine, Ahu Isa, Herkes, Ito, Morihara, co-chairmen, Nakasone, Suzuki, Halford, Meyer.

In accordance therewith, the President appointed Senators D. Ige, Inouye, Fukunaga, Levin, co-chairmen, Sakamoto, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 389 (S.D. 1):

Representatives Ito, Nakasone, co-chairmen, Morihara, Schatz, Moses.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 411, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Hiraki, Lee, Morita, Thielen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 424, H.D. 2 (S.D. 2):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Marumoto.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, Levin, co-chairmen, Buen, Tanaka, Slom as managers on the part of the Senate at such conference.

H.B. No. 440, H.D. 2 (S.D. 2):

Representatives Garcia, Menor, Yamane, co-chairmen, Pendleton.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 460, H.D. 2 (S.D. 1):

Representatives Menor, Nakasone, co-chairmen, Ahu Isa, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 499, H.D. 2 (S.D. 2):

Representatives Yoshinaga, P. Oshiro, Takamine, co-chairmen, Catalani, Goodenow, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Hanabusa, Fukunaga, Levin, co-chairmen, Nakata, Anderson as managers on the part of the Senate at such conference.

H.B. No. 500, H.D. 3 (S.D. 1):

Representatives Cachola, Hamakawa, Kanoho, co-chairmen, Schatz, Meyer.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 510, H.D. 1 (S.D. 2):

Representatives Ito, Luke, co-chairmen, Ahu Isa, Morihara, McDermott.

In accordance therewith, the President appointed Senators D. Ige, Levin, co-chairmen, Chumbley, Slom as managers on the part of the Senate at such conference.

H.B. No. 512, H.D. 2 (S.D. 2):

Representatives Ito, Menor, Luke, co-chairmen, Ahu Isa, Morihara, McDermott.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 519 (S.D. 2):

Representatives Ito, Menor, Luke, co-chairmen, Ahu Isa, Morihara, McDermott.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 522, H.D. 3 (S.D. 2):

Representatives Yoshinaga, Ito, Catalani, co-chairmen, Goodenow, Moses.

In accordance therewith, the President appointed Senators Nakata, D. Ige, Fukunaga, co-chairmen, Chun Oakland, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 531 (S.D. 2):

Representatives Garcia, Catalani, co-chairmen, Ahu Isa, Kaho'ohalahala, Pendleton.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 532, H.D. 3 (S.D. 2):

Representatives Ito, P. Oshiro, Kawakami, co-chairmen, Garcia, Lee, Pendleton.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 547, H.D. 3 (S.D. 2):

Representatives Santiago, Menor, Hamakawa, Yamane, co-chairmen, Marumoto.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 557, H.D. 2 (S.D. 1):

Representatives Abinsay, Saiki, co-chairmen, Suzuki, Rath.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 562 (S.D. 2):

Representatives Abinsay, Menor, co-chairmen, Chang, Kaho'ohalahala, Whalen.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 582, H.D. 2 (S.D. 2):

Representatives Cachola, P. Oshiro, co-chairmen, Hamakawa, Kanoho, Auwae.

In accordance therewith, the President appointed Senators Hanabusa, Chumbley, Matsunaga, co-chairmen, Chun, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 602 (S.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Nakasone, Fox.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 632, H.D. 2 (S.D. 1):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Saiki, Fox.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 634, H.D. 1 (S.D. 1):

Representatives Takai, Schatz, co-chairmen, Santiago, Fox.

In accordance therewith, the President appointed Senators D. Ige, Levin, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 635, H.D. 2 (S.D. 1):

Representatives Santiago, Takamine, co-chairmen, Kawakami, Leong.

In accordance therewith, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 645 (S.D. 2):

Representatives Garcia, Kanoho, co-chairmen, Kaho'ohalahala, Pendleton.

In accordance therewith, the President appointed Senators Kawamoto, Levin, co-chairmen, Bunda, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 657, H.D. 2 (S.D. 1):

Representatives Menor, Ahu Isa, co-chairmen, Nakasone, Marumoto.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 658, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 661, H.D. 3 (S.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Souki, Halford.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 664, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Garcia, Lee, Takumi, Rath.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 677, H.D. 1 (S.D. 2):

Representatives Morita, Takumi, Morihara, Schatz, co-chairmen, Meyer.

In accordance therewith, the President appointed Senators Inouye, D. Ige, Fukunaga, co-chairmen, Buen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 700, H.D. 1 (S.D. 2):

Representatives Takamine, chairman, Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, Hanabusa, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 715 (S.D. 1):

Representatives Hiraki, P. Oshiro, co-chairmen, Garcia, Goodenow, Whalen.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 718, H.D. 1 (S.D. 2):

Representatives Hiraki, Cachola, Takamine, co-chairmen, Goodenow, Fox.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, co-chairmen, Chun, Kanno, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 719, H.D. 2 (S.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Nakasone, Moses.

In accordance therewith, the President appointed Senators Kawamoto, Fukunaga, Levin, co-chairmen, Bunda, Iwase, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 743, H.D. 3 (S.D. 1):

Representatives Santiago, Menor, Yamane, co-chairmen, Kawakami, Lee, Moses.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 747, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Kanoho, Catalani, co-chairmen, Nakasone, Suzuki, Moses.

In accordance therewith, the President appointed Senators Tam, Fukunaga, Levin, co-chairmen, Chun, D. Ige, Nakata, Anderson as managers on the part of the Senate at such conference.

H.B. No. 749, H.D. 3 (S.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Lee, Halford.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 753, H.D. 2 (S.D. 2):

Representatives Ahu Isa, chairman, Kaho'ohalahala, Luke, Saiki, Suzuki, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Inouye, Fukunaga, Levin, co-chairmen, Bunda, D. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 756, H.D. 2 (S.D. 2):

Representatives Herkes, Menor, Luke, co-chairmen, Chang, Rath.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Hanabusa, Ihara, Tam as managers on the part of the Senate at such conference.

H.B. No. 765, H.D. 1 (S.D. 2):

Representatives Hiraki, Menor, Takamine, co-chairmen, Goodenow, Suzuki, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Bunda, Kawamoto as managers on the part of the Senate at such conference.

H.B. No. 797, H.D. 2 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 806, H.D. 2 (S.D. 2):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Takumi, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Levin, co-chairmen, Chun, Nakata, Tanaka as managers on the part of the Senate at such conference.

H.B. No. 827, H.D. 3 (S.D. 1):

Representatives Ahu Isa, Cachola, Saiki, co-chairmen, Herkes, Fox.

In accordance therewith, the President appointed Senators Hanabusa, Inouye, Levin, co-chairmen, Buen, Chun, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 830, H.D. 1 (S.D. 2):

Representatives Herkes, Menor, co-chairmen, Chang, Lee, Rath.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 842, H.D. 2 (S.D. 1):

Representatives Morita, Kawakami, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Nakata, Levin, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 850, H.D. 1 (S.D. 1):

Representatives Menor, Hamakawa, Saiki, co-chairmen, Lee, Auwae.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Inouye as managers on the part of the Senate at such conference.

H.B. No. 854 (S.D. 1):

Representatives Takamine, chairman, Kawakami, Meyer.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 855, H.D. 1 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Arakaki, Santiago, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 895, H.D. 2 (S.D. 2):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Souki, Fox.

In accordance therewith, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 898, H.D. 2 (S.D. 1):

Representatives Abinsay, Nakasone, co-chairmen, Morihara, Suzuki, Halford.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 945, H.D. 1 (S.D. 1):

Representatives Abinsay, Nakasone, co-chairmen, Morihara, Suzuki, Halford.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 949, H.D. 2 (S.D. 2):

Representatives Abinsay, Takamine, co-chairmen, Chang, Saiki, Whalen.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 955, H.D. 1 (S.D. 1):

Representatives P. Oshiro, Suzuki, co-chairmen, Kaho'ohalahala, Nakasone, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 985, H.D. 1 (S.D. 2):

Representatives Nakasone, chairman, Kanoho, Suzuki, Marumoto.

In accordance therewith, the President appointed Senators Tam, Levin, Fukunaga, co-chairmen, Matsuura, Tanaka as managers on the part of the Senate at such conference.

H.B. No. 988, H.D. 2 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairmen, Kaho'ohalahala, Kawakami, Auwae.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 989, H.D. 1 (S.D. 2):

Representatives P. Oshiro, Takamine, co-chairmen, Hamakawa, Kawakami, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 990, H.D. 1 (S.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Yamane, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Chun, Kanno, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 997, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 999, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1006, H.D. 2 (S.D. 2):

Representatives P. Oshiro, Kanoho, co-chairmen, Garcia, Hamakawa, Yamane, Thielen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1012, H.D. 1 (S.D. 1):

Representatives Morita, Herkes, Schatz, co-chairmen, Garcia, Thielen.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Kawamoto as managers on the part of the Senate at such conference.

H.B. No. 1013 (S.D. 1):

Representatives Chang, Takamine, co-chairmen, Ahu Isa, Kawakami, Suzuki, Auwae.

In accordance therewith, the President appointed Senators Inouye, Levin, Fukunaga, co-chairmen, Buen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1017, H.D. 1 (S.D. 2):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Tam, Levin, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1018, H.D. 2 (S.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Tam, Levin, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1020, H.D. 2 (S.D. 2):

Representatives Herkes, Luke, co-chairmen, Suzuki, Rath.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1028, H.D. 1 (S.D. 1):

Representatives Herkes, Hiraki, Luke, co-chairmen, Goodenow, Whalen.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Kawamoto, Tam, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1035, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Suzuki, co-chairmen, Catalani, Goodenow, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Nakata, Slom as managers on the part of the Senate at such conference.

H.B. No. 1037 (S.D. 1):

Representatives P. Oshiro, Takamine, co-chairmen, Hamakawa, Kawakami, Pendleton.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1038, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Kano, Kawakami, Moses.

In accordance therewith, the President appointed Senators Nakata, Levin, Fukunaga, co-chairmen, D. Ige, M. Ige, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1041, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Suzuki, co-chairmen, Goodenow, Nakasone, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Nakata, Slom as managers on the part of the Senate at such conference.

H.B. No. 1048, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Takamine, co-chairmen, Goodenow, Nakasone, Suzuki, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1061, H.D. 2 (S.D. 1):

Representatives Arakaki, Santiago, Kano, co-chairmen, Kahikina, Fox.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Chun, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1063, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Hiraki, Kaho'ohalahala, Lee, Rath.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1071, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Menor, Yamane, co-chairmen, Catalani, Lee, Suzuki, Marumoto, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1073, H.D. 1 (S.D. 2):

Representatives Menor, Hamakawa, co-chairmen, Lee, Thielen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 1079, H.D. 3 (S.D. 1):

Representatives Herkes, Menor, Luke, co-chairmen, Morita, Thielen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1080, H.D. 2 (S.D. 1):

Representatives Herkes, Menor, Luke, co-chairmen, Morita, Thielen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1083, H.D. 2 (S.D. 1):

Representatives Menor, Kawakami, co-chairmen, Chang, Takumi, Yamane, Auwae.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1085, H.D. 1 (S.D. 1):

Representatives Ito, Santiago, Kawakami, co-chairmen, Saiki, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1086 (S.D. 1):

Representatives Ito, chairman, Arakaki, Morihara, Stegmaier, McDermott.

In accordance therewith, the President appointed Senators D. Ige, chairman, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1088, H.D. 2 (S.D. 2):

Representatives Ito, Kawakami, co-chairmen, Saiki, Stegmaier, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1095, H.D. 1 (S.D. 2):

Representatives P. Oshiro, Kanoho, co-chairmen, Hamakawa, Kahikina, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, Levin, co-chairmen, Chun, Kanno, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1111, H.D. 2 (S.D. 2):

Representatives P. Oshiro, Nakasone, co-chairmen, Catalani, Hamakawa, Marumoto.

In accordance therewith, the President appointed Senators D. Ige, Taniguchi, Chumbley, Matsunaga, co-chairmen, Kanno, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 1115, H.D. 2 (S.D. 1):

Representatives Arakaki, Menor, Kahikina, co-chairmen, Morita, Stegmaier, Halford.

In accordance therewith, the President appointed Senators Chun Oakland, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1117, H.D. 3 (S.D. 2):

Representatives Arakaki, P. Oshiro, Saiki, co-chairmen, Lee, Whalen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1119, H.D. 1 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Stegmaier, Pendleton.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1124 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Stegmaier, Pendleton.

In accordance therewith, the President appointed Senators Chun Oakland, Nakata, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1138, H.D. 1 (S.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Garcia, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, Levin, co-chairmen, Kanno as managers on the part of the Senate at such conference.

H.B. No. 1142, H.D. 3 (S.D. 2):

Representatives Morita, P. Oshiro, Schatz, co-chairmen, Takumi, Thielen.

In accordance therewith, the President appointed Senators Nakata, Matsunaga, co-chairmen, Ihara, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1149, H.D. 1 (S.D. 1):

Representatives Santiago, Takamine, co-chairmen, Kawakami, Yamane, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1153, H.D. 1 (S.D. 1):

Representatives Santiago, Hamakawa, co-chairmen, Lee, Yamane, Thielen.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1160, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Hamakawa, co-chairmen, Catalani, Takai, Auwae.

In accordance therewith, the President appointed Senators Nakata, Matsunaga, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1162, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Catalani, co-chairmen, Nakasone, Moses.

In accordance therewith, the President appointed Senators Nakata, Fukunaga, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 1166, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Nakasone, Rath.

In accordance therewith, the President appointed Senators Nakata, Tam, Levin, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1170, H.D. 2 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1172, H.D. 2 (S.D. 1):

Representatives Cachola, Takamine, co-chairmen, Garcia, Kanoho, Kawakami, Moses.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Chun, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1177, H.D. 2 (S.D. 1):

Representatives Takumi, P. Oshiro, Takamine, co-chairmen, Morita, Thielen.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 1178, H.D. 1 (S.D. 1):

Representatives Takumi, P. Oshiro, co-chairmen, Morita, Schatz, Thielen.

In accordance therewith, the President appointed Senators Inouye, Chumbley, Matsunaga, co-chairmen, Buen, Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1180 (S.D. 1):

Representatives Takumi, P. Oshiro, co-chairmen, Morita, Schatz, Thielen.

In accordance therewith, the President appointed Senators Inouye, chairman, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1181, H.D. 1 (S.D. 2):

Representatives Takumi, Hamakawa, Schatz, co-chairmen, Garcia, Marumoto.

In accordance therewith, the President appointed Senators Inouye, Chumbley, Matsunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1183, H.D. 2 (S.D. 2):

Representatives Cachola, Takumi, Schatz, co-chairmen, Kanoho, Thielen.

In accordance therewith, the President appointed Senators Hanabusa, Inouye, Levin, co-chairmen, Buen, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1186 (S.D. 1):

Representatives Cachola, P. Oshiro, co-chairmen, Kanoho, Morita, Thielen.

In accordance therewith, the President appointed Senators Inouye, Chumbley, Matsunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1197, H.D. 2 (S.D. 1):

Representatives Suzuki, chairman, Ahu Isa, Nakasone, Yamane, Meyer.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1198, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Kawakami, Nakasone, Moses.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1203, H.D. 1 (S.D. 1):

Representatives Menor, Suzuki, co-chairmen, Hiraki, Nakasone, Halford.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1267, H.D. 1 (S.D. 2):

Representatives Menor, Hamakawa, co-chairmen, Chang, Pendleton.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Chumbley, Matsunaga, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1276, H.D. 1 (S.D. 2):

Representatives Menor, chairman, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Tam, Fukunaga, Levin, co-chairmen, Hanabusa, Ihara, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1277, H.D. 1 (S.D. 1):

Representatives Morita, Takamine, co-chairmen, Garcia, Schatz, Thielen.

In accordance therewith, the President appointed Senators Nakata, Kanno, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 1280, H.D. 2 (S.D. 2):

Representatives Abinsay, Takamine, co-chairmen, Chang, Saiki, Halford.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1296, H.D. 1 (S.D. 1):

Representatives Takumi, chairman, Garcia, Morita, Schatz, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Inouye, Fukunaga, Levin, co-chairmen, Chun, M. Ige, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1361, H.D. 2 (S.D. 2):

Representatives Herkes, Hiraki, Menor, Yamane, co-chairmen, Marumoto.

In accordance therewith, the President appointed Senators Inouye, Kanno, Taniguchi, co-chairmen, Buen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 1367, H.D. 2 (S.D. 1):

Representatives Santiago, Arakaki, Hamakawa, Yamane, co-chairmen, Marumoto.

In accordance therewith, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1401, H.D. 2 (S.D. 1):

Representatives Hiraki, Menor, co-chairmen, Kaho'ohalahala, Takumi, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1409, H.D. 2 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Catalani, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, Levin, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1411, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Herkes, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1416, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Catalani, Souki, Suzuki, Marumoto.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 1450, H.D. 1 (S.D. 2):

Representatives Takamine, chairman, Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer, Moses.

In accordance therewith, the President appointed Senators Levin, Fukunaga, Chumbley, Matsunaga, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1454, H.D. 2 (S.D. 2):

Representatives P. Oshiro, Yamane, co-chairmen, Hiraki, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1460, H.D. 2 (S.D. 2):

Representatives Garcia, Hamakawa, Kanoho, co-chairmen, Pendleton.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1471, H.D. 1 (S.D. 1):

Representatives P. Oshiro, Kanoho, co-chairmen, Ahu Isa, Hamakawa, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1496, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1497, H.D. 1 (S.D. 1):

Representatives P. Oshiro, chairman, Chang, Hamakawa, Hiraki, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1522, H.D. 1 (S.D. 1):

Representatives Menor, Nakasone, co-chairmen, Goodenow, Takumi, Marumoto.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Kawamoto, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1548, H.D. 1 (S.D. 1):

Representatives Morita, Schatz, co-chairmen, Takumi, Thielen.

In accordance therewith, the President appointed Senators Nakata, chairman, M. Ige, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 1575, H.D. 2 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Stegmaier, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1593, H.D. 1 (S.D. 2):

Representatives Herkes, Cachola, Yoshinaga, Luke, co-chairmen, Meyer.

In accordance therewith, the President appointed Senators Kawamoto, Tam, co-chairmen, Bunda, Hanabusa, Iwase as managers on the part of the Senate at such conference.

H.B. No. 1594, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Kahikina, Fox.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1620, H.D. 1 (S.D. 2):

Representatives Herkes, Luke, co-chairmen, Saiki, Halford.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1622, H.D. 1 (S.D. 1):

Representatives Menor, Hamakawa, co-chairmen, Lee, Auwae.

In accordance therewith, the President appointed Senators Kawamoto, Chumbley, Matsunaga, co-chairmen, Bunda, Ihara, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1623, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Herkes, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1624, H.D. 2 (S.D. 1):

Representatives Menor, Yamane, co-chairmen, Morita, Suzuki, Thielen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1628 (S.D. 2):

Representatives Abinsay, Saiki, co-chairmen, Ahu Isa, Ito, Morihara, Halford.

In accordance therewith, the President appointed Senators Inouye, Kanno, Taniguchi, Levin, co-chairmen, Buen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 1636, H.D. 2 (S.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Nakasone, Takai, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1637, H.D. 2 (S.D. 2):

Representatives Hiraki, Ito, Goodenow, co-chairmen, Morihara, Marumoto.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1641, H.D. 1 (S.D. 2):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1649, H.D. 2 (S.D. 1):

Representatives Menor, Takamine, co-chairmen, Catalani, Kaho'ohalahala, Souki, Whalen.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1660, H.D. 2 (S.D. 1):

Representatives Morihara, Schatz, co-chairmen, Ito, Yamane, Marumoto.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1663, H.D. 2 (S.D. 2):

Representatives Santiago, Ito, Menor, P. Oshiro, Takamine, co-chairmen, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, D. Ige, Levin, co-chairmen, Kanno, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1664, H.D. 3 (S.D. 1):

Representatives Santiago, Menor, Takamine, co-chairmen, Chang, Halford.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1675, H.D. 1 (S.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Yamane, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Chun, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1683, H.D. 2 (S.D. 2):

Representatives Herkes, Takamine, co-chairmen, Chang, Kawakami, Suzuki, Whalen.

In accordance therewith, the President appointed Senators D. Ige, Inouye, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1693, H.D. 1 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Pendleton.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Kawamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1711, H.D. 2 (S.D. 1):

Representatives Takumi, Schatz, co-chairmen, Goodenow, Kanoho, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, Inouye, Levin, co-chairmen, Buen, Chun, M. Ige, Nakata, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1726, H.D. 1 (S.D. 1):

Representatives Arakaki, Santiago, Yamane, co-chairmen, Kahikina, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

Hse. Com. No. 619, informing the Senate that the Speaker on April 19, 1999, 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. 4, S.D. 2 (H.D. 2):

Representatives Takamine, Yoshinaga, Kanoho, co-chairmen, Nakasone, Suzuki, Moses.

S.B. No. 5, S.D. 2 (H.D. 2):

Representatives Abinsay, Saiki, co-chairmen, Ahu Isa, Ito, Morihara, Halford.

S.B. No. 20, S.D. 1 (H.D. 2):

Representatives Menor, Suzuki, co-chairmen, Cachola, Nakasone, Fox.

S.B. No. 21, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 27 (H.D. 1):

Representatives Hiraki, Menor, co-chairmen, Goodenow, Lee, Fox.

S.B. No. 36, S.D. 2 (H.D. 1):

Representatives Menor, chairman, Cachola, Lee, Whalen.

S.B. No. 44, S.D. 1 (H.D. 2):

Representatives Herkes, Takamine, co-chairmen, Nakasone, Suzuki, Meyer.

S.B. No. 46, S.D. 2 (H.D. 2):

Representatives Ito, Kawakami, co-chairmen, Okamura, Takai, Leong.

S.B. No. 59, S.D. 1 (H.D. 1):

Representatives Herkes, Takamine, co-chairmen, Nakasone, Suzuki, Marumoto.

S.B. No. 102, S.D. 3 (H.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Souki, Halford.

S.B. No. 131, S.D. 3 (H.D. 3):

Representatives Arakaki, Santiago, Menor, Yoshinaga, Kawakami, co-chairmen, Fox.

S.B. No. 157, S.D. 1 (H.D. 2):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, Pendleton.

S.B. No. 176 (H.D. 2):

Representatives Arakaki, P. Oshiro, co-chairmen, Kahikina, Lee, Whalen.

S.B. No. 178 (H.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Arakaki, Kahikina, Pendleton.

S.B. No. 186, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Hiraki, Souki, Auwae.

S.B. No. 194, S.D. 2 (H.D. 2):

Representatives Arakaki, Santiago, Menor, Kawakami, co-chairmen, Suzuki, Whalen.

S.B. No. 207 (H.D. 2):

Representatives Morita, Schatz, co-chairmen, Kanoho, Luke, Meyer.

S.B. No. 223, S.D. 2 (H.D. 1):

Representatives Garcia, Kanoho, co-chairmen, Catalani, Kaho'ohalahala, Pendleton.

S.B. No. 236, S.D. 1 (H.D. 1):

Representatives Menor, Hamakawa, co-chairmen, Lee, Thielen.

S.B. No. 238, S.D. 1 (H.D. 2):

Representatives Menor, Suzuki, co-chairmen, Cachola, Nakasone, Fox.

S.B. No. 285, S.D. 1 (H.D. 1):

Representatives Menor, Suzuki, co-chairmen, Cachola, Yamane, Whalen.

S.B. No. 365, S.D. 1 (H.D. 1):

Representatives P. Oshiro, Menor, co-chairmen, Garcia, Lee, Whalen.

S.B. No. 392, S.D. 2 (H.D. 2):

Representatives Hiraki, Kanoho, co-chairmen, Goodenow, Nakasone, Marumoto.

S.B. No. 450, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Kanoho, Nakasone, Marumoto.

S.B. No. 456, S.D. 2 (H.D. 1):

Representatives Morihara, P. Oshiro, Kawakami, co-chairmen, Kahikina, Leong.

S.B. No. 513, S.D. 2 (H.D. 2):

Representatives Arakaki, Menor, Hamakawa, Kawakami, co-chairmen, Thielen.

S.B. No. 528, S.D. 2 (H.D. 1):

Representatives Menor, Nakasone, co-chairmen, Lee, Suzuki, Fox.

S.B. No. 550, S.D. 2 (H.D. 1):

Representatives Ito, Kanoho, co-chairmen, Morihara, Okamura, McDermott.

S.B. No. 560, S.D. 1 (H.D. 1):

Representatives Takumi, chairman, Garcia, Morita, Schatz, Meyer.

S.B. No. 570, S.D. 1 (H.D. 2):

Representatives Kahikina, Yamane, co-chairmen, Stegmaier, McDermott.

S.B. No. 585, S.D. 1 (H.D. 2):

Representatives P. Oshiro, Garcia, Luke, co-chairmen, Kaho'ohalahala, Whalen.

S.B. No. 588, S.D. 1 (H.D. 1):

Representatives Garcia, Hamakawa, co-chairmen, Kaho'ohalahala, Morita, Whalen.

S.B. No. 590, S.D. 1 (H.D. 1):

Representatives P. Oshiro, Luke, co-chairmen, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 591, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Thielen.

S.B. No. 592, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Thielen.

S.B. No. 594, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Thielen.

S.B. No. 605, S.D. 1 (H.D. 2):

Representatives Yoshinaga, P. Oshiro, Nakasone, co-chairmen, Catalani, Marumoto.

S.B. No. 607, S.D. 1 (H.D. 2):

Representatives Cachola, Hamakawa, Kanoho, co-chairmen, Schatz, Meyer.

S.B. No. 616, S.D. 1 (H.D. 1):

Representatives P. Oshiro, co-chairmen, Garcia, Hamakawa, Takumi, Auwae.

S.B. No. 628, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 630, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 631, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 635, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Hamakawa, co-chairmen, Goodenow, Lee, Whalen.

S.B. No. 638, S.D. 1 (H.D. 2):

Representatives Herkes, Takamine, co-chairmen, Goodenow, Nakasone, Suzuki, Meyer.

S.B. No. 646, S.D. 2 (H.D. 3):

Representatives Cachola, Yoshinaga, P. Oshiro, Kanoho, co-chairmen, Saiki, Meyer.

S.B. No. 654, S.D. 1 (H.D. 2):

Representatives Kanoho, Takamine, co-chairmen, Ahu Isa, Halford.

S.B. No. 663, S.D. 1 (H.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Nakasone, Fox.

S.B. No. 664, S.D. 1 (H.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Nakasone, Fox.

S.B. No. 676, S.D. 1 (H.D. 2):

Representatives Hiraki, chairman, Morita, Rath.

S.B. No. 680, S.D. 1 (H.D. 2):

Representatives P. Oshiro, Nakasone, co-chairmen, Goodenow, Hamakawa, Whalen.

S.B. No. 700, S.D. 2 (H.D. 1):

Representatives Hiraki, P. Oshiro, co-chairmen, Morita, Okamura, Fox.

S.B. No. 709, S.D. 1 (H.D. 2):

Representatives Hiraki, Goodenow, co-chairmen, Nakasone, Takai, Fox.

S.B. No. 737, S.D. 2 (H.D. 1):

Representatives Morita, Hamakawa, co-chairmen, Schatz, Takumi, Pendleton.

S.B. No. 738, S.D. 1 (H.D. 1):

Representatives Morita, Hamakawa, co-chairmen, Schatz, Takumi, Pendleton.

S.B. No. 776 (H.D. 1):

Representatives Menor, chairman, Garcia, Lee, Takumi, Rath.

S.B. No. 777, S.D. 2 (H.D. 1):

Representatives Menor, Hamakawa, co-chairmen, Chang, Pendleton.

S.B. No. 779, S.D. 2 (H.D. 2):

Representatives Santiago, Menor, co-chairmen, Cachola, Whalen.

S.B. No. 788, S.D. 2 (H.D. 2):

Representatives Santiago, Suzuki, co-chairmen, Goodenow, Kahikina, Leong.

S.B. No. 798, S.D. 2 (H.D. 2):

Representatives Morita, Hamakawa, Kanoho, co-chairmen, Cachola, Auwae.

S.B. No. 809, S.D. 2 (H.D. 1):

Representatives Takumi, Kanoho, co-chairmen, Schatz, Auwae.

S.B. No. 816, S.D. 1 (H.D. 2):

Representatives Chang, Takamine, co-chairmen, Ahu Isa, Suzuki, Meyer.

S.B. No. 822, S.D. 2 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Garcia, Lee, Marumoto.

S.B. No. 823, S.D. 1 (H.D. 2):

Representatives Arakaki, Hamakawa, co-chairmen, Lee, Stegmaier, Thielen.

S.B. No. 825, S.D. 2 (H.D. 2):

Representatives Yoshinaga, P. Oshiro, Catalani, co-chairmen, Lee, Pendleton.

S.B. No. 829, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Auwae.

S.B. No. 830, S.D. 1 (H.D. 2):

Representatives Lee, Nakasone, co-chairmen, Garcia, Suzuki, Whalen.

S.B. No. 844, S.D. 2 (H.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Herkes, Leong.

S.B. No. 856, S.D. 2 (H.D. 2):

Representatives Arakaki, Santiago, Menor, Kanohe, co-chairmen, Marumoto.

S.B. No. 889, S.D. 1 (H.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Luke, Whalen.

S.B. No. 896, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Kaho'ohalahala, Morita, Auwae.

S.B. No. 901, S.D. 2 (H.D. 1):

Representatives P. Oshiro, Saiki, co-chairmen, Hamakawa, Luke, Pendleton.

S.B. No. 919, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Lee, Takumi, Whalen.

S.B. No. 921 (H.D. 1):

Representatives P. Oshiro, Goodenow, co-chairmen, Hamakawa, Saiki, Whalen.

S.B. No. 942, S.D. 1 (H.D. 1):

Representatives Cachola, Kanohe, co-chairmen, Goodenow, Schatz, Marumoto.

S.B. No. 947, S.D. 2 (H.D. 1):

Representatives Menor, Hamakawa, co-chairmen, Lee, Thielen.

S.B. No. 949, S.D. 1 (H.D. 2):

Representatives Herkes, Menor, Hamakawa, Luke, co-chairmen, Rath.

S.B. No. 951, S.D. 1 (H.D. 1):

Representatives Morihara, Ito, Yoshinaga, Catalani, co-chairmen, Leong.

S.B. No. 953, S.D. 2 (H.D. 2):

Representatives Morita, Nakasone, co-chairmen, Garcia, Schatz, Marumoto.

S.B. No. 957, S.D. 2 (H.D. 1):

Representatives Menor, Arakaki, Yamane, co-chairmen, Whalen.

S.B. No. 992, S.D. 2 (H.D. 2):

Representatives Santiago, Takamine, co-chairmen, Kahikina, Yamane, Meyer.

S.B. No. 994, S.D. 2 (H.D. 3):

Representatives Arakaki, Hamakawa, Yamane, co-chairmen, Stegmaier, Auwae.

S.B. No. 1003, S.D. 1 (H.D. 1):

Representatives Arakaki, P. Oshiro, Saiki, co-chairmen, Whalen.

S.B. No. 1011 (H.D. 2):

Representatives Takai, Yoshinaga, Kawakami, co-chairmen, Stegmaier, Rath.

S.B. No. 1016, S.D. 1 (H.D. 1):

Representatives Hamakawa, Saiki, co-chairmen, Ahu Isa, Schatz, Fox.

S.B. No. 1018, S.D. 1 (H.D. 2):

Representatives Lee, Yamane, co-chairmen, Ahu Isa, Garcia, Fox.

S.B. No. 1021 (H.D. 1):

Representatives Menor, Yamane, co-chairmen, Ahu Isa, Lee, Marumoto.

S.B. No. 1024, S.D. 3 (H.D. 1):

Representatives Morita, P. Oshiro, Schatz, co-chairmen, Takumi, Thielen.

S.B. No. 1026 (H.D. 1):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Fox.

S.B. No. 1032, S.D. 1 (H.D. 2):

Representatives Santiago, P. Oshiro, Yamane, co-chairmen, Garcia, Whalen.

S.B. No. 1034, S.D. 1 (H.D. 2):

Representatives Santiago, Takamine, co-chairmen, Kawakami, Suzuki, Marumoto.

S.B. No. 1036, S.D. 3 (H.D. 1):

Representatives Santiago, Arakaki, Kawakami, co-chairmen, Saiki, Fox.

S.B. No. 1046, S.D. 3 (H.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Catalani, Nakasone, Suzuki, Meyer.

S.B. No. 1048, S.D. 2 (H.D. 1):

Representatives Arakaki, Menor, Kahikina, co-chairmen, Morita, Stegmaier, Halford.

S.B. No. 1049, S.D. 2 (H.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Goodenow, Stegmaier, McDermott.

S.B. No. 1050, S.D. 2 (H.D. 1):

Representatives Arakaki, P. Oshiro, Saiki, co-chairmen, Lee, Whalen.

S.B. No. 1055, S.D. 1 (H.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Ahu Isa, Stegmaier, McDermott.

S.B. No. 1057 (H.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Stegmaier, Pendleton.

S.B. No. 1058, S.D. 2 (H.D. 1):

Representatives Arakaki, P. Oshiro, Saiki, co-chairmen, Stegmaier, McDermott.

S.B. No. 1071, S.D. 1 (H.D. 2):

Representatives Herkes, Menor, Ahu Isa, co-chairmen, Chang, Lee, Rath.

S.B. No. 1079, S.D. 1 (H.D. 3):

Representatives Herkes, Menor, Luke, co-chairmen, Chang, Rath.

S.B. No. 1082, S.D. 2 (H.D. 2):

Representatives Cachola, Takamine, co-chairmen, Garcia, Kanoho, Kawakami, Moses.

S.B. No. 1088, S.D. 1 (H.D. 1):

Representatives Takumi, P. Oshiro, co-chairmen, Morita, Schatz, Thielen.

S.B. No. 1089, S.D. 1 (H.D. 1):

Representatives Takumi, P. Oshiro, Schatz, co-chairmen, Garcia, Marumoto.

S.B. No. 1091, S.D. 1 (H.D. 2):

Representatives Takumi, Hamakawa, Schatz, co-chairmen, Garcia, Marumoto.

S.B. No. 1101, S.D. 1 (H.D. 2):

Representatives Hamakawa, Nakasone, co-chairmen, Morita, Suzuki, Auwae.

S.B. No. 1102, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Suzuki, co-chairmen, Nakasone, Okamura, Marumoto.

S.B. No. 1117, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Nakasone, co-chairmen, Kanoho, Suzuki, Marumoto.

S.B. No. 1118, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Chang, Hamakawa, Hiraki, Whalen.

S.B. No. 1119, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Chang, Hamakawa, Lee, Whalen.

S.B. No. 1124, S.D. 2 (H.D. 1):

Representatives Menor, Suzuki, co-chairmen, Garcia, Yamane, Fox.

S.B. No. 1125 (H.D. 1):

Representatives Menor, chairman, Hiraki, Kaho'ohalahala, Lee, Rath.

S.B. No. 1127, S.D. 1 (H.D. 3):

Representatives Santiago, Menor, Takamine, co-chairmen, Chang, Moses.

S.B. No. 1128, S.D. 2 (H.D. 1):

Representatives Santiago, Menor, Yamane, co-chairmen, Ahu Isa, Fox.

S.B. No. 1129, S.D. 2 (H.D. 2):

Representatives Menor, Takamine, co-chairmen, Garcia, Yamane, Halford.

S.B. No. 1130, S.D. 1 (H.D. 1):

Representatives Santiago, Menor, Kawakami, co-chairmen, Garcia, Yamane, Leong.

S.B. No. 1131, S.D. 1 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Moses.

S.B. No. 1136, S.D. 2 (H.D. 2):

Representatives Santiago, Menor, Kawakami, co-chairmen, Takumi, Rath.

S.B. No. 1137 (H.D. 2):

Representatives Yoshinaga, Suzuki, co-chairmen, Nakasone, Okamura, Marumoto.

S.B. No. 1139, S.D. 1 (H.D. 2):

Representatives Menor, Saiki, co-chairmen, Chang, Luke, Halford.

S.B. No. 1140, S.D. 2 (H.D. 2):

Representatives Herkes, Menor, Luke, co-chairmen, Garcia, Halford.

S.B. No. 1142, S.D. 2 (H.D. 1):

Representatives Herkes, Menor, Luke, co-chairmen, Morita, Thielen.

S.B. No. 1144, S.D. 1 (H.D. 2):

- Representatives Menor, Takamine, co-chairmen, Herkes, Kawakami, Thielen.
S.B. No. 1145, S.D. 2 (H.D. 2):
- Representatives Menor, Kawakami, co-chairmen, Chang, Takumi, Yamane, Auwae.
S.B. No. 1147, S.D. 2 (H.D. 2):
- Representatives Yoshinaga, Catalani, co-chairmen, Nakasone, Takai, Marumoto.
S.B. No. 1149, S.D. 1 (H.D. 2):
- Representatives Yoshinaga, Hamakawa, co-chairmen, Goodenow, Okamura, Pendleton.
S.B. No. 1151, S.D. 1 (H.D. 1):
- Representatives Yoshinaga, P. Oshiro, co-chairmen, Chang, Nakasone, Auwae.
S.B. No. 1155, S.D. 1 (H.D. 2):
- Representatives Ito, Yoshinaga, Catalani, co-chairmen, Okamura, Stegmaier, Fox.
S.B. No. 1156, S.D. 2 (H.D. 1):
- Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Leong.
S.B. No. 1157, S.D. 1 (H.D. 1):
- Representatives Ito, Saiki, co-chairmen, Morihara, Leong.
S.B. No. 1158, S.D. 1 (H.D. 1):
- Representatives P. Oshiro, Kanoho, co-chairmen, Schatz, Meyer.
S.B. No. 1160, S.D. 2 (H.D. 2):
- Representatives Hamakawa, Saiki, co-chairmen, Luke, P. Oshiro, Whalen.
S.B. No. 1163, S.D. 1 (H.D. 2):
- Representatives Garcia, Hamakawa, Kanoho, co-chairmen, Chang, Whalen.
S.B. No. 1177, S.D. 1 (H.D. 1):
- Representatives Herkes, Suzuki, co-chairmen, Luke, Nakasone, Meyer.
S.B. No. 1178, S.D. 2 (H.D. 2):
- Representatives Herkes, Suzuki, co-chairmen, Luke, Nakasone, Meyer.
S.B. No. 1180, S.D. 1 (H.D. 1):
- Representatives Suzuki, chairman, Goodenow, Nakasone, Fox.
S.B. No. 1212, S.D. 2 (H.D. 1):
- Representatives Hiraki, P. Oshiro, co-chairmen, Chang, Takai, Whalen.
S.B. No. 1229, S.D. 1 (H.D. 3):
- Representatives Arakaki, Cachola, Yamane, co-chairmen, Garcia, Kahikina, Pendleton.
S.B. No. 1235, S.D. 1 (H.D. 1):
- Representatives Menor, Yamane, co-chairmen, Chang, Goodenow, Whalen.
S.B. No. 1238, S.D. 2 (H.D. 2):
- Representatives Menor, Ahu Isa, co-chairmen, Herkes, Yamane, Whalen.
S.B. No. 1256, S.D. 2 (H.D. 1):
- Representatives Hiraki, Goodenow, co-chairmen, Okamura, Fox.
S.B. No. 1261, S.D. 1 (H.D. 1):
- Representatives Menor, Yamane, co-chairmen, Morita, Suzuki, Thielen.
S.B. No. 1262 (H.D. 1):
- Representatives Menor, chairman, Cachola, Herkes, Lee, Whalen.
S.B. No. 1270, S.D. 1 (H.D. 2):
- Representatives Ito, P. Oshiro, co-chairmen, Arakaki, Morihara, Stegmaier, McDermott.
S.B. No. 1274 (H.D. 1):
- Representatives Garcia, Hamakawa, Ito, Saiki, co-chairmen, Suzuki, Pendleton.
S.B. No. 1276, S.D. 1 (H.D. 2):
- Representatives Ito, Saiki, co-chairmen, Morihara, Leong.
S.B. No. 1279, S.D. 2 (H.D. 2):
- Representatives Herkes, Menor, Luke, co-chairmen, Chang, Rath.
S.B. No. 1282, S.D. 2 (H.D. 2):
- Representatives Yoshinaga, Suzuki, co-chairmen, Nakasone, Okamura, Marumoto.
S.B. No. 1294, S.D. 1 (H.D. 2):
- Representatives Yoshinaga, Takamine, co-chairmen, Goodenow, Nakasone, Suzuki, Moses.
S.B. No. 1300, S.D. 1 (H.D. 2):
- Representatives Yoshinaga, Catalani, co-chairmen, Nakasone, Takai, Meyer.
S.B. No. 1307, S.D. 1 (H.D. 1):
- Representatives Ito, Ahu Isa, co-chairmen, Morihara, Stegmaier, Takai, Leong.
S.B. No. 1321, S.D. 2 (H.D. 2):
- Representatives Takumi, Suzuki, co-chairmen, Garcia, Schatz, Fox.
S.B. No. 1325, S.D. 1 (H.D. 2):
- Representatives Takamine, Herkes, Ahu Isa, co-chairmen, Nakasone, Souki, Suzuki, Auwae, Marumoto.
S.B. No. 1379, S.D. 2 (H.D. 1):

Representatives P. Oshiro, chairman, Hamakawa, Kaho'ohalahala, Lee, Whalen.

S.B. No. 1421, S.D. 1 (H.D. 2):

Representatives P. Oshiro, Kanoho, co-chairmen, Garcia, Fox.

S.B. No. 1452 (H.D. 3):

Representatives Santiago, Menor, Takamine, co-chairmen, Chang, Halford.

S.B. No. 1462, S.D. 1 (H.D. 2):

Representatives P. Oshiro, Kanoho, co-chairmen, Ahu Isa, Hamakawa, Auwae.

S.B. No. 1470 (H.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Kanoho, Kawakami, Moses.

S.B. No. 1475, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Ito, Catalani, co-chairmen, Goodenow, Moses.

S.B. No. 1481, S.D. 1 (H.D. 1):

Representatives Garcia, Takamine, co-chairmen, Chang, Nakasone, Pendleton.

S.B. No. 1485, S.D. 1 (H.D. 1):

Representatives P. Oshiro, chairman, Garcia, Hamakawa, Lee, Whalen.

S.B. No. 1499, S.D. 1 (H.D. 2):

Representatives Arakaki, Kahikina, co-chairmen, Goodenow, Stegmaier, Pendleton.

S.B. No. 1501, S.D. 3 (H.D. 3):

Representatives Ito, Arakaki, Santiago, Yoshinaga, Takamine, co-chairmen, Leong.

S.B. No. 1502, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Cachola, Kaho'ohalahala, Thielen.

S.B. No. 1504, S.D. 1 (H.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Kahikina, Lee, Leong.

S.B. No. 1512, S.D. 1 (H.D. 1):

Representatives P. Oshiro, Goodenow, co-chairmen, Hamakawa, Thielen.

S.B. No. 1517, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Herkes, Whalen.

S.B. No. 1518 (H.D. 1):

Representatives Santiago, Yoshinaga, Yamane, co-chairmen, Arakaki, Kanoho, Nakasone, Leong, Marumoto.

S.B. No. 1519, S.D. 3 (H.D. 2):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

S.B. No. 1544, S.D. 2 (H.D. 2):

Representatives Yoshinaga, Takamine, co-chairmen, Catalani, Souki, Suzuki, Marumoto.

S.B. No. 1583, S.D. 2 (H.D. 2):

Representatives Takamine, Herkes, Morihara, Ito, co-chairmen, Nakasone, Suzuki, Halford, Meyer.

S.B. No. 1607, S.D. 2 (H.D. 2):

Representatives Herkes, Suzuki, co-chairmen, Luke, Morihara, Fox.

S.B. No. 1635, S.D. 2 (H.D. 2):

Representatives P. Oshiro, Suzuki, co-chairmen, Kaho'ohalahala, Kanoho, Saiki, Fox.

S.B. No. 1638, S.D. 2 (H.D. 1):

Representatives Ito, Yoshinaga, Catalani, co-chairmen, Leong.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1719 (Gov. Msg. No. 202):

Senator Inouye moved that Stand. Com. Rep. No. 1719 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Board of Directors, Hawai'i Tourism Authority of the following:

SHARI W. CHANG, MARK ROLFING, KEITH VIEIRA and RON WRIGHT, terms to expire June 30, 2000; and

W. DAVID P. CAREY III, GARY J. BALDWIN, GILBERT M. KIMURA, DIANE S. QUITQUIT, JOHN LINN REED and ROY TOKUJO, terms to expire June 30, 2002,

seconded by Senator Buen.

Senator Inouye rose to speak in support of the nominees as follows:

"Mr. President, I speak in support of Gov. Msg. No. 202.

"I speak on behalf of the Committee on Economic Development. The committee finds that the aforementioned nominees are volunteers, willing to serve without compensation, and will work with compassion and commitment to assist in administering various government functions. The nominees have been appointed based upon their professional credentials, integrity, and a desire to make Hawaii better through their participation on the board of directors of the Hawaii Tourism Authority to which they have been nominated.

"Shari W. Chang is Senior Vice President of Sales and Marketing, Castle Resorts and Hotels, and she has served in various executive capacities with Island Holidays Tour and Aston Hotels and Resorts. Ms. Chang was selected to be the first person from Hawaii recognized nationally as one of the Top 100 Most Powerful Women in Travel in 1996 and has been honored as one of the Top 200 Women in Travel for 1997 and 1998.

"Mark Rolfing is President of Rolfing Sports, Inc., is a network golf analyst, and has provided commentary for over a dozen golf championships each year on NBC. A Maui resident

since 1976, he also serves as campaign director for the Maui Community Arts and Cultural Center.

"Keith Vieira is Vice President, Director of Operations-Hawaii, Starwood Hotels and Resorts Worldwide, Inc., and oversees the operations and marketing for the nine Sheraton properties in Hawaii, as well as the Sheraton Palace Hotel in San Francisco. Mr. Vieira has over 25 years of experience in Hawaii and has served on numerous travel industry organizations.

"Ron Wright is Managing Director, Sales and Marketing-Hawaii, Continental Airlines, a company he has been associated with for 30 years. Mr. Wright was instrumental in negotiating a partnership with the State of Hawaii and Continental, which resulted in a new maintenance facility at the Honolulu International Airport.

"Gary J. Baldwin is President of the Kauai Economic Development Board and has an extensive entrepreneurial business background in Hawaii. He is a member and past chair of the County of Kauai Planning Commission and vice chair of the Kauai Business Council, and was awarded the Kauai Chamber of Commerce Aloha Spirit Award in 1993.

"W. David P. Carey III is President and CEO, Outrigger Enterprises, Inc., where he oversees operations of more than 10,000 rooms and suites throughout Hawaii, the Pacific, and the U.S. mainland. He is a member of numerous business organizations, including the Hawaii Business Roundtable, the Chamber of Commerce of Hawaii, the American Bar Association, and the Young President's Organization.

"Gilbert M. Kimura is Regional Sales Manager, Japan Air Lines, where he began his career in 1964. He is also a member of the Chamber of Commerce of Hawaii and the Japanese Chamber of Commerce, serving on its board of directors from 1995 to 1998.

"Diane S. Quitquit is Director, Research and Development for the County of Hawaii. She began her career 21 years ago with AMFAC Hotels and Resorts, has served on the University of Hawaii Strategic Planning Committee, and the Five Mountain Medical Community Committee, among other. Ms. Quitquit received the Woman of the Year Award from the Hawaii Federation of Business and Professional Women in 1996.

"John Linn Reed is President of Pacific Retail Development, DFS USA Region, and has been with DFS since 1978. He has been involved with an extensive number of community and business organizations and is currently Chairman of the Board of Directors of Variety School of Hawaii, President of the Board of Trustees of the Public Schools Foundation of Hawaii, and 1998 Campaign Chairman for Aloha United Way.

"Roy Tokujo is President and CEO of Cove Marketing, Inc., and a 34-year veteran of the restaurant and entertainment business in Hawaii. In addition to his work in the tourism industry, he has served as chair of the board of the Hawaii Visitors and Convention Bureau and was a member of the Governor's Economic Revitalization Task Force.

"I ask my colleagues, Mr. President, to please support the nominees. Thank you."

Senator Chun rose in support of the nominee Gary Baldwin and said:

"Mr. President, I speak in favor of the nominee Gary Baldwin.

"Mr. President, it's no secret on my island that Gary Baldwin and I sometimes don't get along. We've had many discussions and arguments on certain issues. Mr. President, after talking with Mr. Baldwin and the Governor about how we can move

forward for the betterment of this State and also for the Island of Kauai, I feel confident that Mr. Baldwin will have nothing but the best interests of Kauai and of the State and he has the definite ability to move forward into the twenty-first century for the Tourism Authority.

"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. 1720 (Gov. Msg. No. 237):

Senator Nakata moved that Stand. Com. Rep. No. 1720 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of JOAN WHITE, W. ROY JOHNSON, GERALD OKAMOTO, WILLIAM T. HONJIYO, DIANE ROSE MACHA, NORMAN JANICKI, JR., and KA'IULANI DE SILVA to the Hawai'i School-to-Work Opportunities Executive Council, terms to expire June 30, 2002, seconded by Senator M. 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. 1721 (Gov. Msg. No. 144):

Senator Inouye moved that Stand. Com. Rep. No. 1721 be received and placed on file, seconded by Senator Kawamoto and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of JAMES J. NAKATANI as Chairperson, Board of Agriculture, term to expire December 31, 2002, seconded by Senator Kawamoto.

Senator Inouye rose in support of the nominee as follows:

"Mr. President, I support Mr. Nakatani's nomination.

"Mr. Nakatani has been Chairperson of the Board Agriculture, Department of Agriculture since January 1995 and has served as an officer or member of numerous agricultural organizations, including the Hawaii Farm Bureau Federation, the Hawaii State Farm Fair, the Watercress Grower's Association, the Agribusiness Development Corporation, and the Western United States Agricultural Trade Association, among others.

"Mr. Nakatani is both an experienced farmer and a seasoned administrator. During his tenure, he has streamlined permitting processes and promoted economic development in the State, while remaining mindful of Hawaii's unique environmental qualities. He has actively sought solutions to problems affecting Hawaii's agricultural and aquacultural industries during a period of extensive change for Hawaii's farmers.

"I urge my colleagues' support of Mr. Nakatani's nomination.

"Thank you, Mr. President."

Senator M. Ige rose in opposition to the nominee and stated:

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

"Mr. President, last year the Legislature passed a bill relating to slaughterhouses for the State, and I had been quite concerned because the slaughterhouse basically uses pork from a lot of

hard-working farmers out there. In the bill that we passed last year, it talks about a slaughterhouse or floating \$10 million of revenue bonds for a slaughterhouse including a meat-processing facility. And yet today, when you speak to some of the farmers, that has not become a reality, nor has it even been close to where we want to be. And I just hope that during the interim or during these final weeks we can continue to ask these questions so that we can produce a facility that talks about jobs and economic diversity in the community.

"Mr. President, I've never come across so many people telling me that they support my 'no' vote in the committee and that they would want to say things to me off the record. And my response has been, if you cannot put it on record, then I don't want to hear it. You come up with the criticism and I'll help you. But if you come to me with anonymous phone calls, forget it, I'm not interested.

"Mr. President, this is not the kind of leader we need to bring the agricultural community to meet the challenges of the twenty-first century.

"Thank you."

Senator Kawamoto rose in support of the nominee as follows:

"Mr. President, I speak in favor of the nominee.

"Mr. President, I had the opportunity not this past Saturday but two Saturdays ago on Ag Day . . . we had diversified ag from all over the State come to the Ag Day out in Pearl City, and not one, not one had any negative comment about Jimmy Nakatani. They all had glowing words. They said things like if it wasn't for Jimmy they wouldn't have had this opportunity for diversified ag.

"I've been on the Economic Committee for four years and his devotion to the water situation, his devotion to diversified ag was of utmost importance to the success of these activities. Therefore, Mr. President, I urge all my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Buen rose to speak against the nomination as follows:

"Mr. President, I, too, want to speak against this appointment.

"Many of the Maui farmers have called me. I know in the Economic Development Committee I had voted in favor, however, after that I had received many calls regarding this appointment and these are farmers who have expressed their concern about the administration, and I need to let you know and to my fellow colleagues that I'm opposed to the nomination because of the farmers' concerns on Maui.

"Thank you."

Senator Chumbley rose to speak in favor of the nominee and said:

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

"Mr. President and colleagues, this is a changing time for agriculture, however it is also a time where we have great opportunities. The mono-crop of sugar is nearly gone from our islands. In fact, there's only two islands left with sugar, both of which I represent. The vast amount of lands that are left behind need a diversified agricultural crop. And I can attest, having been a previous board member of the Department of Agriculture, that the department is going in the right direction, Mr. President. And under the leadership of Jimmy Nakatani, we've taken some great steps forward in the recent years.

"I want to support his nomination and I urge all my colleagues to do so. We will move forward with agriculture. We will become diversified, and I think he is the right person to lead us in that direction.

"Thank you."

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

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

Ayes, 23. Noes, 2 (Buen, M. Ige).

Stand. Com. Rep. No. 1722 (Gov. Msg. No. 147):

Senator Inouye moved that Stand. Com. Rep. No. 1722 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of SEIJI F. NAYA, Ph.D., as Director of Business, Economic Development, and Tourism, term to expire December 2, 2002, seconded by Senator Buen.

Senator Inouye rose to speak in support of the nominee and said:

"Mr. President, I speak on behalf of the nominee, Dr. Seiji Naya.

"Dr. Naya has brought a global perspective to the department and his longstanding experience and extensive networks with the Asian Development Bank have allowed Hawaii companies to access markets throughout Asia, in part due to the high degree of respect many of American's trading partners hold for Dr. Naya. Dr. Naya has also been an active participant in reducing the State's regulatory burden for business, and has worked with a broad selection of public and private sector agencies to support and promote Hawaii's business community.

"Mr. President, I urge all of my colleagues to support Dr. Naya's nomination.

"Thank you."

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. 1723 (Gov. Msg. No. 149):

Senator Kawamoto moved that Stand. Com. Rep. No. 1723 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of EDWARD V. RICHARDSON as Adjutant General, term to expire December 2, 2002, seconded by Senator Bunda.

Senator Kawamoto rose to support the nominee as follows:

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

"Mr. President, your nominee General Edward V. Richardson has served as Adjutant General since 1991. He first showed his immense management capability when Hurricane Iniki came in 1992. By collecting all the forces, he did a tremendous job in ensuring disaster preparedness and disaster relief for the Island of Kauai and in Waianae.

"For all the things he did, your Committee has reviewed his extensive background and finds the utmost qualified person in General Richardson. Therefore, I recommend our colleagues to vote 'aye' on General Richardson."

Senator M. Ige also rose in support of the nominee and said:

"Mr. President, I, too, rise in support of General Richardson.

"Mr. President, General Richardson and the Government Operations Committee, a couple of years back, had, I guess, a misunderstanding on an appropriation involving half a million dollars. The committee questioned the department. And I just want to say for the record that the General handled himself with integrity. His word was always good. He was always open to staff inquiries into the appropriation, into the amount that was in discrepancy.

"And Mr. President, I just want to say that I've come to know him a little better during these last couple of years. And I believe that he is the kind of person that we do need in our government -- a person who is good for his word, who has integrity.

"Mr. President, I'm deeply concerned about Y2K and the State not being ready. He anticipated a lot of the concerns of the community regarding Y2K and began meeting immediately with various sectors of the community. And I think this is the kind of leadership we need. I have every confidence that we are going to be facing problems on January 1 of the new year, but I believe that the General has everything well under control.

"Thank you."

Senator Inouye added her remarks in support of the nominee as follows:

"Mr. President, I speak on behalf of the nominee.

"General Richardson has been good for Hawaii. He's the head of the civil defense operation for the State, and as former mayor of the County of Hawaii I've had extensive working relationships with the General. I urge my colleagues to support this fine gentleman."

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 Kawamoto introduced General Richardson who was seated in the gallery.

Stand. Com. Rep. No. 1724 (Gov. Msg. No. 158):

Senator Kawamoto moved that Stand. Com. Rep. No. 1724 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of KAZU HAYASHIDA as Director of Transportation, term to expire December 2, 2002, seconded by Senator Bunda.

Senator Kawamoto rose in support of the nominee and said:

"Mr. President, I rise in favor of the nominee.

"Mr. President, this nominee has worked hard in the administration these last four years and has done a tremendous job. We have received, I think more than any other director, the most capital improvements money wise than any director since the history of the State Department of Transportation. So I'd like to congratulate him for that.

"When we all started, we agreed to get capital improvement projects out and got out in the fields so that the construction guys could go back to work and help our economy. We worked to expedite the process and got many projects out on time and on budget.

"So, Mr. President, I urge all my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Anderson then rose in support of all the nominees and stated:

"I waited till last, Mr. President, so that I can vote in favor of all the nominees that are here, and last time I did have a conflict since General Richardson is relation. At that time you said no conflict so I didn't think I'd have one this time. But I did want to say that I support all of them and wish them the best of luck. And I thank you very much, Mr. President."

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 Kawamoto introduced Mr. Hayashida who was seated in the gallery.

Senator Inouye then introduced Dr. Naya and Mr. Nakatani who were also seated in the gallery.

Senator Chumbley, on behalf of the Senate, extended happy birthday wishes to Senator Ihara.

Senator Buen rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"The Honolulu Advertiser on Sunday, April 18, 1999, had an article that stated that 'Lanai Co. offers to help with repairs -- Harbor breakwater destroyed in 1992.'

"This is good news for me and all of the residents of Lanai. For a very long, long time many people have worked very hard to find funding for the repairs to Kaunapali Harbor. This harbor is vital to the residents as one of the means for commerce and economic development of this island.

"I have, on behalf of the Lanai residents, met with Mr. David Murdock, CEO of Lanai Co., to encourage him to fund the \$1.5 million with a match of \$1.5 million from Governor Cayetano. Governor Cayetano has agreed to fund this amount.

"My greatest concern is that in the upcoming conference meetings, the \$1.5 million is maintained in the Senate budget. We must ensure that we maintain our part to make matching funds available from the State for the repairs to Kaunapali Harbor.

"I look forward to receiving the check from Mr. Murdock and passing it on to Governor Cayetano.

"Thank you."

APPOINTMENT OF CONFEREES

S.B. No. 4, 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. 4, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Levin, Fukunaga, co-chairmen, Nakata, Anderson as managers on the part of the Senate at such conference.

S.B. No. 5, 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. 5, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 21, 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. 21, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 27 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 27 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 36, 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. 36, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Matsunaga, Chumbley, co-chairmen, Hanabusa, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 40 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 40 and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Inouye, Slom as managers on the part of the Senate at such conference.

S.B. No. 44, 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. 44, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige, Iwase, Nakata, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 46, 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. 46, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Chumbley, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 59, 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. 59, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, chairman, Hanabusa, Anderson as managers on the part of the Senate at such conference.

S.B. No. 102, S.D. 3 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 102, S.D. 3,

and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun, D. Ige, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 131, S.D. 3 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 131, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Bunda, Chun, Kawamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 157, 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. 157, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 176 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 176, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Chumbley, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 178 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 178 and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Buen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 186, 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. 186, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Kanno, Taniguchi, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 194, 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. 194, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 207 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 207 and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Levin, co-chairmen, M. Ige, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 223, 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. 223, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin,

co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 236, 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. 236, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Chumbley, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 238, 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. 238, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 285, 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. 285, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Fukunaga, co-chairmen, Hanabusa, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 365, 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. 365, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Bunda, Ihara as managers on the part of the Senate at such conference.

S.B. No. 392, 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. 392, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Levin, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 450, 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. 450, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Fukunaga, Levin, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 456, 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. 456, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Hanabusa, Fukunaga, Levin, co-chairmen, Chumbley, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 513, 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. 513, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Taniguchi, co-chairmen, Bunda, Fukunaga as managers on the part of the Senate at such conference.

S.B. No. 528, 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. 528, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 550, 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. 550, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 560, 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. 560, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chairman, Matsuura, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 570, 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. 570, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

S.B. No. 585, 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. 585, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 588, 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. 588, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 590, 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. 590, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 594, 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. 594, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 605, 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. 605, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 607, 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. 607, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 616, 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. 616, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 628, 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. 628, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 630, 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. 630, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 631, 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. 631, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 635, 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. 635, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Chumbley, Matsunaga, co-chairmen, Ihara, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 638, 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. 638, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 646, 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. 646, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Fukunaga, Levin, co-chairmen, Hanabusa, D. Ige, Kawamoto, Matsunaga, Anderson as managers on the part of the Senate at such conference.

S.B. No. 654, 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. 654, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 663, 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. 663, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 664, 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. 664, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 676, 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. 676, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 680, 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. 680, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Chumbley, Matsunaga, co-chairmen, Bunda, Ihara, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 700, 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. 700, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Taniguchi, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 709, 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. 709, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Ihara, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 737, 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. 737, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Chun Oakland, co-chairmen, M. Ige, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 738, 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. 738, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Chun Oakland, co-chairmen, M. Ige, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 776 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 776 and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 777, 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. 777, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Chumbley, Matsunaga, co-chairmen, Hanabusa, Anderson as managers on the part of the Senate at such conference.

S.B. No. 779, 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. 779, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Taniguchi, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 788, 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. 788, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 798, 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. 798, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Chun Oakland, Fukunaga, co-chairmen, M. Ige, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 809, 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. 809, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, co-chairmen, Kawamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 816, 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. 816, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, D. Ige, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 822, 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. 822, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno,

Taniguchi, co-chairmen, Bunda, Hanabusa, Anderson as managers on the part of the Senate at such conference.

S.B. No. 823, 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. 823, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 825, 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. 825, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 829, 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. 829, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 830, 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. 830, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Bunda, Ihara as managers on the part of the Senate at such conference.

S.B. No. 844, 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. 844, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Taniguchi, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 856, 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. 856, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Chun, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 889, 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. 889, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 901, 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. 901, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 919, 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. 919, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

S.B. No. 921 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 921 and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 942, 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. 942, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 947, 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. 947, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Ihara, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 949, 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. 949, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Bunda, Inouye, Slom as managers on the part of the Senate at such conference.

S.B. No. 951, 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. 951, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 953, 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. 953, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Inouye, Hanabusa, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 957, 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. 957, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 970, 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. 970, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Taniguchi, Kanno, Chumbley, co-chairmen, Hanabusa, Slom as managers on the part of the Senate at such conference.

S.B. No. 992, 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. 992, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Levin, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 994, 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. 994, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1003, 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. 1003, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1011 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1011 and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Bunda, Slom 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 Chun Oakland, chairman, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1021 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1021 and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chairman, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1024, 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. 1024, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Matsunaga, co-chairmen, Ihara, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1026 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1026 and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Levin, Fukunaga, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1032, 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. 1032, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1034, 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. 1034, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Chun as managers on the part of the Senate at such conference.

S.B. No. 1036, 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. 1036, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1046, S.D. 3 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1046, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Fukunaga, Levin, co-chairmen, Chun Oakland, Kanno, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1048, 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. 1048, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Matsunaga, co-chairmen, Iwase, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1049, 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. 1049, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1050, 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. 1050, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1055, 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. 1055, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1057 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1057 and the

request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Nakata, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1058, 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. 1058, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1071, 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. 1071, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 1079, 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. 1079, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chairman, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1082, 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. 1082, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Kanno, Kawamoto, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1088, 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. 1088, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Matsunaga, co-chairmen, M. Ige, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 1089, 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. 1089, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chairman, Kawamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1091, 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. 1091, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Chumbley, co-chairmen, Buen, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 1101, 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. 1101, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Taniguchi, co-chairmen, Bunda, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1102, 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. 1142, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Inouye, Slom as managers on the part of the Senate at such conference.

S.B. No. 1143 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1143 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1144, 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. 1144, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Levin, co-chairmen, Bunda, Nakata as managers on the part of the Senate at such conference.

S.B. No. 1145, 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. 1145, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1147, 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. 1147, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Fukunaga, co-chairmen, Chun Oakland, D. Ige, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1149, 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. 1149, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, chairman, M. Ige, Ihara, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1151, 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. 1151, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Ihara as managers on the part of the Senate at such conference.

S.B. No. 1155, 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. 1155, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1156, 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. 1156, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-

chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 1157, 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. 1157, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1158, 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. 1158, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1160, 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. 1160, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Chun Oakland, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1177, 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. 1177, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1178, 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. 1178, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1180, 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. 1180, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Chun, Chun Oakland, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 1212, 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. 1212, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Chumbley, co-chairmen, Bunda, Iwase, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1229, 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. 1229, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1235, 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. 1235, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Bunda, Chun, Slom as managers on the part of the Senate at such conference.

S.B. No. 1238, 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. 1238, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, D. Ige, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1256, 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. 1256, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Fukunaga, Levin, co-chairmen, Buen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 1261, 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. 1261, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 1262 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1262 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1270, 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. 1270, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, chairman, Bunda, Chumbley, Slom as managers on the part of the Senate at such conference.

S.B. No. 1274 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1274 and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Chumbley, Fukunaga, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 1276, 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. 1276, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1279, 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. 1279, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Taniguchi, Kanno, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1282, 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. 1282, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1294, 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. 1294, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1300, 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. 1300, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1307, 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. 1307, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, chairman, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1321, 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. 1321, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Hanabusa, co-chairmen, Buen, Tanaka, Slom as managers on the part of the Senate at such conference.

S.B. No. 1325, 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. 1325, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige, Nakata, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1379, 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. 1379, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 1452 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1452 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1462, 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. 1462, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1470 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1470 and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Fukunaga, Levin, co-chairmen, D. Ige, M. Ige, Slom as managers on the part of the Senate at such conference.

S.B. No. 1475, 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. 1475, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, D. Ige, Fukunaga, co-chairmen, Chun Oakland, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 1481, 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. 1481, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Levin, co-chairmen, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

S.B. No. 1485, 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. 1485, 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. 1499, 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. 1499, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1501, S.D. 3 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1501, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, co-chairmen, Chumbley, Chun Oakland, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1502, 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. 1502, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1504, 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. 1504, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Nakata as managers on the part of the Senate at such conference.

S.B. No. 1512, 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. 1512, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1517, 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. 1517, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Bunda, Inouye, Slom as managers on the part of the Senate at such conference.

S.B. No. 1518 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1518 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Levin, Fukunaga, co-chairmen, Chun Oakland, D. Ige, Nakata, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1519, S.D. 3 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1519, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Levin, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1544, 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. 1544, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Chumbley, Matsunaga, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1583, 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. 1583, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Inouye, Nakata, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1607, 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. 1607, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, co-chairmen, D. Ige, Nakata, Slom as managers on the part of the Senate at such conference.

S.B. No. 1635, 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. 1635, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Chun, D. Ige, Kanno, Kawamoto, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1638, 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. 1638, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Levin, D. Ige, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 7 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 7 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 47, 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. 47, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Inouye, Slom as managers on the part of the Senate at such conference.

H.B. No. 77, 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. 77, 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. 746, 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. 746, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, chairman, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 877, 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. 877, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 970, 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. 970, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 971, 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. 971, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 972, 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. 972, H.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 973, 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. 973, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 978 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 978 and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 980, 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. 980, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1008 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1008 and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1145 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1145 and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kawamoto, Fukunaga, Levin, co-chairmen, Bunda, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1146 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1146 and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1188 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1188 and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chairman, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1257, 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. 1257, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1616, 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. 1616, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1617, 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. 1617, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1621, 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. 1621, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

ADJOURNMENT

At 12:26 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., Tuesday, April 20, 1999.

FIFTY-SECOND DAY

Tuesday, April 20, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mark Olmos, Faith Christian Fellowship, after which the Roll was called showing all Senators present with the exception of Senators Iwase, Sakamoto and Tariaka who were excused.

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

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

Senator Ihara introduced the following members of the Hawaii Pacific University Lady Sea Warriors and congratulated them on becoming the 1998 National College Athletic Association NCAA Division II Volleyball Champions: Kea Wong, Kau Gandia, Dawn Penebacker, Kealoha Kuhaulua, Darcy Hales, Bree Sodorff and Jiselle Rocha. Accompanying the team members were Tita Ahuna, head coach of the Lady Sea Warriors, and assistant coaches, Damien Hardy and McKenzie Santimer.

Senator Hanabusa congratulated Hale Na'aupono (Waianae Coast Community Mental Health Center) on its national recognition of being awarded the prestigious Managed Behavioral Healthcare Leadership Award at the 1999 National Managed Health Care Congress held in Atlanta, Georgia, and introduced the following individuals: Poka Laenui, executive director; Puanani Burgess, president of the board of directors; Barbie-Lei Burgess, coordinator for the day support program; and Keaulana Holt, resource development director.

At 11:51 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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 620 to 683) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 620, transmitting H.C.R. No. 4, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development.

Hse. Com. No. 621, transmitting H.C.R. No. 5, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL INDEPENDENT DIVERSIFIED AGRICULTURE FARMERS TO WORK TOGETHER THROUGH THEIR RESPECTIVE COMMODITY ADVISORY GROUPS TO PROMOTE, MARKET, DISTRIBUTE, AND EXPORT HAWAII-MADE

PRODUCTS AND HAWAII-GROWN CROPS," was referred to the Committee on Economic Development.

Hse. Com. No. 622, transmitting H.C.R. No. 6, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALTERNATIVE ACCESS ROUTES TO MAJOR COMMUNITIES CURRENTLY SERVED BY A SINGLE ACCESS ROADWAY," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 623, transmitting H.C.R. No. 7, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO RESTRUCTURE THE DEPARTMENT OF EDUCATION TO ENSURE ACCOUNTABILITY AT ALL LEVELS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 624, transmitting H.C.R. No. 8, H.D. 2, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 8, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS," was referred jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 625, transmitting H.C.R. No. 12, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 12, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE OFFICE ON AGING, IN PARTNERSHIP WITH HOSPICE HAWAII, TO EDUCATE HEALTHCARE PROVIDERS AND THE GENERAL PUBLIC ON THE BENEFITS OF HOSPICE," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 626, transmitting H.C.R. No. 15, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was referred to the Committee on Judiciary.

Hse. Com. No. 627, transmitting H.C.R. No. 17, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE DEPARTMENT OF TRANSPORTATION'S INITIATIVE TO IDENTIFY, PROTECT, AND ENHANCE HAWAII'S HERITAGE

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

Hse. Com. No. 628, transmitting H.C.R. No. 18, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPAND FAMILY AND PARENTING CLASSES TRAINING AND GUIDANCE FOR HIGH SCHOOL STUDENTS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 629, transmitting H.C.R. No. 20, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 20, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF INITIATIVES TO FACILITATE THE GROWTH OF HAWAII'S BIOTECHNOLOGY INDUSTRY," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 630, transmitting H.C.R. No. 27, H.D. 2, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 27, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING GREATER AVAILABILITY OF CABLE ACCESS AND ADVANCED TELECOMMUNICATIONS INFRASTRUCTURE IN REMOTE RURAL AREAS," was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 631, transmitting H.C.R. No. 35, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 35, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY, THE HAWAII PAROLING AUTHORITY, AND THE JUDICIARY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 632, transmitting H.C.R. No. 45, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 633, transmitting H.C.R. No. 47, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT RESOLUTION NO. 98-226, PROPOSING AMENDMENTS TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, RELATING TO ZONING OF ADULT ESTABLISHMENTS," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 634, transmitting H.C.R. No. 48, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING VOYAGER SUBMARINES' PROPOSAL TO PLACE TWO DERELICT VESSELS AT ITS OPERATIONS SITE TO CREATE AN ARTIFICIAL REEF," was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 635, transmitting H.C.R. No. 54, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 54, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY HANDICAPPED PERSONS," was referred jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 636, transmitting H.C.R. No. 56, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 56, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO FURTHER INFORM AND INVOLVE THE PUBLIC ON MILITARY AND RELATED ACTIVITIES AT THE MAKUA MILITARY RESERVATION ON OAHU," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 637, transmitting H.C.R. No. 60, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO USE ALL AVAILABLE INFORMATION TO PROCEED WITH THE SYSTEMATIC IDENTIFICATION OF INMATES CURRENTLY INCARCERATED WHO HAVE DUAL OCCURRING DIAGNOSES OF MENTAL DISORDERS AND ALCOHOL OR SUBSTANCE ABUSE," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 638, transmitting H.C.R. No. 62, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO ENACT LEGISLATION THAT AMENDS THE SOCIAL SECURITY ACT TO PROHIBIT THE FEDERAL GOVERNMENT FROM RECEIVING ANY SHARE OF THE FUNDS AWARDED IN THE TOBACCO SETTLEMENT THAT WAS REACHED IN 1998 BETWEEN THE STATES AND THE TOBACCO INDUSTRY," was referred jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 639, transmitting H.C.R. No. 63, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO REVISE ITS

STRATEGIC PLAN," was referred to the Committee on Health and Human Services.

Hse. Com. No. 640, transmitting H.C.R. No. 65, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO LOOK AT DOMESTIC VIOLENCE POLICIES AND PROCEDURES OF THE CRIMINAL JUSTICE SYSTEM ON OAHU AND IDENTIFY GAPS," was referred to the Committee on Judiciary.

Hse. Com. No. 641, transmitting H.C.R. No. 66, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 66, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY AND TO TAKE ACTION TO PROHIBIT DISCRIMINATORY PRICING PRACTICES IN THE PROVISION OF SERVICES," was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 642, transmitting H.C.R. No. 69, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 69, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP AND IMPLEMENT A FRUIT FLY FREE ZONE FOR ELIMINATING THE QUARANTINE BARRIER IMPOSED BY THE FOUR SPECIES OF FRUIT FLIES FOUND IN HAWAII," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 643, transmitting H.C.R. No. 73, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO ESTABLISH CRITERIA BY WHICH ALL STATE DEPARTMENTS AND THEIR ATTACHED AGENCIES SHALL RANK ALL PURCHASES OF SERVICES THAT ARE ISSUED BY THOSE DEPARTMENTS OR AGENCIES," was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 644, transmitting H.C.R. No. 74, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 645, transmitting H.C.R. No. 75, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INCLUDE SPORTS

TOURISM IN ITS LONG-RANGE PLAN FOR TOURISM," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 646, transmitting H.C.R. No. 76, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 76, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COLLABORATIVE PARTNERSHIP TO INCREASE THE NUMBER OF CHILDREN WHO HAVE AN OPPORTUNITY TO EAT A NUTRITIOUS BREAKFAST IN THE PUBLIC AND PRIVATE SCHOOLS, PRE-SCHOOLS, AND GROUP CARE," was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 647, transmitting H.C.R. No. 79, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 648, transmitting H.C.R. No. 80, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 80, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COST-BENEFIT ANALYSIS OF PREVENTION AND EARLY INTERVENTION SERVICES," was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 649, transmitting H.C.R. No. 81, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DETERMINE ALTERNATIVES TO INCARCERATION AND RECOMMEND SYSTEMIC CHANGES FOR THE PROPER TREATMENT OF INDIVIDUALS NEEDING MENTAL HEALTH SERVICES," was referred jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 650, transmitting H.C.R. No. 88, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII AT MANOA AND THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT OF THE UNIVERSITY OF HAWAII AT HILO TO EXPLORE WAYS TO COLLABORATE AND COOPERATE FOR THE BENEFIT OF STATEWIDE AGRICULTURE," was referred to the Committee on Economic Development, then to the Committee on Education and Technology.

Hse. Com. No. 651, transmitting H.C.R. No. 94, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 652, transmitting H.C.R. No. 132, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE ESTABLISHMENT OF A CENTER FOR ENVIRONMENTAL AND CULTURAL TOURISM AT THE UNIVERSITY OF HAWAII AT HILO," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 653, transmitting H.C.R. No. 135, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH WORKING GROUPS ON EACH ISLAND TO IDENTIFY, EXAMINE, AND RESOLVE OUTSTANDING LAND USE ISSUES AND THEIR IMPACT ON THE HAWAIIAN AND NATIVE HAWAIIAN PEOPLES AND THEIR CULTURE," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 654, transmitting H.C.R. No. 169, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 655, transmitting H.C.R. No. 170, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 170, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH AND SUBSTANCE ABUSE," was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 656, transmitting H.C.R. No. 171, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 171, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF A RELIGIOUS FREEDOM RESTORATION ACT IN HAWAII," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 657, transmitting H.C.R. No. 172, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY THE

FEASIBILITY OF FUNDING HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 658, transmitting H.C.R. No. 178, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CARING...FOR LIFE FOUNDATION AS THE COORDINATING AGENCY FOR A PUBLIC-PRIVATE PARTNERSHIP TO ACT AS A SINGLE ENTITY TO COORDINATE COMPONENTS OF A LONG-TERM CARE SYSTEM," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 659, transmitting H.C.R. No. 186, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE VARIOUS STATE DEPARTMENTS AND THE RURAL ECONOMIC TRANSITION ASSISTANCE-HAWAII (RETA-H) TO ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS AND SERVICES TO ASSIST DISPLACED EMPLOYEES OF PIONEER MILL TO OBTAIN OTHER EMPLOYMENT OPPORTUNITIES," was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 660, transmitting H.C.R. No. 190, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO EXTEND ITS SERVICES OF THE NEUROPSYCHOLOGY DEPARTMENT UNTIL APPROPRIATE AND ADEQUATE ALTERNATIVES ARE FOUND," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 661, transmitting H.C.R. No. 195, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 195, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN INCREASED FEDERAL FUNDING FOR FEDERALLY-MANDATED SPECIAL EDUCATION," was referred jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 662, transmitting H.C.R. No. 196, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO COORDINATE A COMPREHENSIVE ANALYSIS OF CURRENT PROTECTIONS OF THE PRIVACY OF PERSONAL INFORMATION AND TO SUBMIT PROPOSED LEGISLATION TO THE 2000 LEGISLATIVE SESSION," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 663, transmitting H.C.R. No. 201, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES ENGAGED IN THE TOURISM INDUSTRY," 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. 664, transmitting H.C.R. No. 203, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT HAWAII'S CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT," was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 665, transmitting H.C.R. No. 205, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 205, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN TO CULTIVATE AGRICULTURAL CROPS AND PRODUCTS TO PROMOTE THE CONCEPT OF HAWAII AS A HEALTH STATE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 666, transmitting H.C.R. No. 207, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 667, transmitting H.C.R. No. 216, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 216, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 668, transmitting H.C.R. No. 218, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A STATEWIDE PROGRAM FOR HAWAII'S SCHOOLS THAT FOCUSES ON STRONG ACADEMIC STANDARDS, ASSESSMENT TESTING, AND ACCOUNTABILITY," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 669, transmitting H.C.R. No. 219, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)," was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 670, transmitting H.C.R. No. 220, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 220, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE AIRPORT DIVISION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO WORK CLOSELY WITH AIR CARRIERS SERVING HAWAII TO DEVELOP STRATEGIES TO EFFECTIVELY REDUCE AIRPORT SYSTEM COSTS TO ACHIEVE LOW AND STABLE AIRPORT LANDING FEES, RATES, AND CHARGES," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 671, transmitting H.C.R. No. 223, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION (PUC) TO INVESTIGATE, REPORT, AND TAKE ACTION ON THE CIRCUIT COURT ORDER INVALIDATING CERTAIN PUC ORDERS, TELECOMMUNICATIONS SERVICE QUALITY ISSUES, AND THE PROPOSED GTE/BELL ATLANTIC MERGER," was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 672, transmitting H.C.R. No. 230, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 230, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF REPLACING THE INCOME TAX AND GENERAL EXCISE TAX WITH A NEW RETAIL SALES TAX OR OTHER TAX," was referred to the Committee on Ways and Means.

Hse. Com. No. 673, transmitting H.C.R. No. 232, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 232, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT INFANT AND CHILD CARDIOPULMONARY RESUSCITATION IN THEIR ADMINISTRATIVE RULES GOVERNING LICENSURE AND REGISTRATION OF CHILD CARE PROVIDERS," was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 674, transmitting H.C.R. No. 233, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE IMPACT OF ESTABLISHING A SHORELINE FISHERY MANAGEMENT AREA AT HANAPEPE, KAUAI," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 675, transmitting H.C.R. No. 234, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE KAMEHAMEHA SCHOOLS BERNICE PAUAAHI BISHOP ESTATE TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING AN ELEMENTARY SCHOOL ON THE ISLAND OF KAUAI," was referred to the Committee on Education and Technology, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 676, transmitting H.C.R. No. 236, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 236, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INCREASE EFFORTS TO RECRUIT STUDENTS FROM ASIAN PACIFIC COUNTRIES TO STUDY MEDICINE AT THE JOHN A. BURNS SCHOOL OF MEDICINE AND TO SECURE RESEARCH FUNDS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 677, transmitting H.C.R. No. 237, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 237, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A TEMPORARY ADVISORY COMMISSION TO RECOMMEND A NEW FINANCIAL STRUCTURE FOR LOWER EDUCATION THAT IS COORDINATED WITH EDUCATION GOALS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 678, transmitting H.C.R. No. 256, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 256, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER TO CONVENE AN ADVISORY TASK FORCE TO STUDY THE VARIOUS PROPOSALS INTRODUCED DURING THE REGULAR SESSION OF 1999, TO REMEDY PERCEIVED DEFICIENCIES IN THE REQUIREMENTS AND PROCEDURES OF THE ENVIRONMENTAL IMPACT STATEMENTS LAW," was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 679, transmitting H.C.R. No. 258, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 258, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL

RELATIONS TO CONDUCT A STUDY ON DISCRIMINATION BASED ON SEX, RACE, AND NATIONAL ORIGIN WITH REGARD TO WAGES AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT," was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 680, transmitting H.C.R. No. 259, H.D. 1, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 259, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOAL OF SECURING A 'LIVING WAGE' FOR THE WORKERS IN THE STATE OF HAWAII," was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 681, transmitting H.C.R. No. 261, which was adopted by the House of Representatives on April 15, 1999, was placed on file.

By unanimous consent, H.C.R. No. 261, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 682, 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 matter of said amendments, the Speaker on April 19, 1999, appointed managers, respectively, on the part of the House for the consideration of said amendments:

H.B. No. 7 (S.D. 1):

Representatives Hiraki, Hamakawa, co-chairmen, Pendleton;

H.B. No. 47, H.D. 1 (S.D. 1):

Representatives Santiago, Menor, co-chairmen, Whalen;

H.B. No. 877, H.D. 1 (S.D. 1):

Representatives Santiago, Ahu Isa, co-chairmen, Marumoto;

H.B. No. 970, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Marumoto;

H.B. No. 971, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Marumoto;

H.B. No. 972, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Marumoto;

H.B. No. 973, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Marumoto;

H.B. No. 978 (S.D. 1):

Representatives Abinsay, Takamine, co-chairmen, Fox;

H.B. No. 980, H.D. 2 (S.D. 1):

Representatives Abinsay, Saiki, co-chairmen, Marumoto;

H.B. No. 1008 (S.D. 2):

Representatives Santiago, Suzuki, co-chairmen, Marumoto;

H.B. No. 1145 (S.D. 2):

Representatives Santiago, Takamine, co-chairmen, Marumoto;

H.B. No. 1146 (S.D. 2):

Representatives Santiago, Takamine, co-chairmen, Leong;

H.B. No. 1257, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Fox;

H.B. No. 1616, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Fox;

H.B. No. 1617, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Fox;

H.B. No. 1621, H.D. 1 (S.D. 1):

Representatives Santiago, Kawakami, co-chairmen, Fox,

was placed on file.

Hse. Com. No. 683, informing the Senate that the Speaker on April 19, 1999, 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. 40 (H.D. 2):

Representatives Santiago, Menor, co-chairmen, Whalen;

S.B. No. 970, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Lee, Thielen;

S.B. No. 1132 (H.D. 1):

Representatives Menor, chairman, Garcia, Whalen;

S.B. No. 1134, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Garcia, Whalen;

S.B. No. 1143 (H.D. 1):

Representatives Menor, chairman, Garcia, Whalen,

was placed on file.

STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1725) recommending that the Senate advise and consent to the nomination of EIICHI JUMAWAN to the State Boxing Commission of Hawai'i, in accordance with Gov. Msg. No. 179.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1725 and Gov. Msg. No. 179 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1726) recommending that the Senate advise and consent to the nominations of RANDALL M. HASHIMOTO, JAY I. ISHIBASHI and CAROL S. SAKATA to the Board of

Professional Engineers, Architects, Surveyors, and Landscape Architects, in accordance with Gov. Msg. No. 219.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1726 and Gov. Msg. No. 219 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1727) recommending that the Senate advise and consent to the nominations of MICHELLE NAKATA, EMY M. YAMAUCHI and LEE YETTA STEIN to the Board of Massage Therapy, in accordance with Gov. Msg. No. 222.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1727 and Gov. Msg. No. 222 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1728) recommending that the Senate advise and consent to the nominations of W. PHILIP KAU, D.V.M., PATRICK MCGUIGAN and ANN A. OHATA, M.D., to the Radiologic Technology Board, in accordance with Gov. Msg. No. 240.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1728 and Gov. Msg. No. 240 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1729) recommending that the Senate advise and consent to the nominations of LOWELL T. NAGAUE and LYNN S.H. HIROMOTO to the Board of Public Accountancy, in accordance with Gov. Msg. No. 255.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1729 and Gov. Msg. No. 255 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1730) recommending that the Senate advise and consent to the nominations of BARBARA M. KOKUBUN and MILTON Y. MIGITA to the State Board of Barbering and Cosmetology, in accordance with Gov. Msg. No. 256.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1730 and Gov. Msg. No. 256 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1731) recommending that the Senate advise and consent to the nominations of JASON MOON and KENT KOIKE to the Board of Pharmacy, in accordance with Gov. Msg. No. 261.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1731 and Gov. Msg. No. 261 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1732) recommending that the Senate advise and consent to the nominations of JIM BECKER, STEVE HIRANO, RICKY C. MANAYAN and SCOTT SHIRAI to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 262.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1732 and Gov. Msg. No. 262 was deferred until Wednesday, April 21, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1733) recommending that the Senate advise and consent to the nomination of KATHRYN S. MATAYOSHI as Director of Commerce and Consumer Affairs, in accordance with Gov. Msg. No. 148.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1733 and Gov. Msg. No. 148 was deferred until Wednesday, April 21, 1999.

Senator Tam, for the Committee on Government Operations and Housing, requested a waiver of the 72-hour Notice of a Public Hearing for S.R. No. 70, and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'm so upset that I have to keep reading in the paper what we're doing, what kinds of deals are being made, but what bothers me is that this one here says we're going to raid the \$6 billion retirement fund or \$9 billion retirement fund so that we can help the counties and there's a caveat. It states that we're also going to help repair schools. That's what we should have been doing for 40 years. There's supposed to be money set aside.

"I think what really is interesting though, Mr. President, is when they come out with a proposal such as this with the Governor's picture on the front of it saying how badly it's needed. He has here that he's willing to do the retroactive pay raises. Now it was my understanding in Ways and Means that we were going to take care of that. Now I think that the employees who have gone through the collective bargaining agreement have got to realize that the money that we're talking about in the retirement system is our money -- their's and our's -- that has been there. Those of us that belong to the retirement system need the money there because it will be like social security -- they keep tapping it. And if I read correctly, even the Speaker of the House says this has been the seventh time that we're using this money to bail out counties or to do other things.

"Now, if the Governor calls this civil service reform, I'm sorry. It doesn't even measure up to that.

"In the editorial, Mr. President, it says it's not a permanent cure. We've given permanent cures, not by party, not by House or Senate, but by means of looking at this as a business type of deal. The banks should have been here saying it's a good way to handle the economy if we're going to be able to make loans to people, and we're going to use state lands and we're going to give out 5-year leases, 7-year leases, whatever we might come up with, or if we're going to build cultural parks. We've come out with all kinds of solutions. We've even said the referendum for gambling would help the economy. This is not reform, hitting the retirement system for the people who have already gone through a collective bargaining deal, and we've agreed to pay them in the past. And then they put another caveat that they'll have to agree that they won't ask for another pay raise for two years.

"I think that this is an absolute shame, Mr. President, that we have lowered ourselves to again raiding the funds that we have put aside. If I remember . . . let's see if I can remember the number of people we have within the retirement system -- 90,000 active retired and county workers -- 90,000 -- and seven times we have hit the retirement system. All we're saying here, or the Governor is saying, well they made more money than they were supposed to so we're only going to take a certain percentage. Well, that's a shame, we've earned it.

"And if we can't budget accordingly . . . we're not saying . . . in the beginning we said we don't have to fire people. We have attrition for those who are going to be retiring. We have some departments that are short of people. We have some that have too many. We need a training program. We need to look at what the heck we have. That's reform. That's streamlining. That's making sure we know how we're working.

"No one upstairs is doing their job, and we're being blamed for it. And I think it's a shame that we have to tell the employees that we'll pay you with your money.

"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 12:09 o'clock p.m.

Senator Anderson rose again on a point of information as follows:

"Mr. President, on a point of information, I guess.

"I forgot something when I had a point for personal privilege. In this article today, it also says that the Mayor is very happy that we're willing to help the counties and he's going to need it for the pay raises that he has to pay. However, in yesterday's paper, Councilman Mufi Hanneman, who today says that he's glad that we're going to be forthcoming, said that they budgeted. In yesterday's paper we budgeted that money, 20-point-something million dollars, and the Mayor spent it like it was there on good management and he had saved the dollars. So you know, if we're going to help the counties, they have to be more responsible for what they're doing.

"Now I don't know the Mayor from Maui too well, Mayor Apana, but at least when he raised taxes it was across the board. When we do it here on Oahu, what we do is find out who lives out of state; who owns property that is out of state. They then tax those people so that they don't have to raise across the board for you and me because we vote. And they want to make sure that we vote for them, not against them. That's some of the problems that we have here on this island. We're not being fair to the residents that we are supposed to represent, and as a taxpayer not only to the state but to the county, I resent it. I think it's unfair. I think it's unfair when I live in Waimanalo and have a street -- and we've been there since 1946 -- that's still being argued as to ownership -- city or state. And two years before my dad passed away they finally put in a fire hydrant, and guess what -- the fire department says now we can save your house so your insurance drops.

"Those are the kinds of things that I think we have to look at when we're helping, is to find out what they're going to do for themselves because I think that's what we should be doing. We should be looking at what we have to do and the counties have to be responsible for their own responsibilities and not always say the State should help us that we cannot have the people vote against us. We don't have to raise property tax. We don't have to do the things that we do, other than build new parks.

"Thank you very much, Mr. President."

Senator M. Ige also rose on a point of personal privilege and stated:

"Mr. President, personal privilege, as well.

"Mr. President, I just want to thank Senator Anderson for raising the issue of the pay raises, and of course Senator Fukunaga from WAM to clarify that. It's good to know that those pay raises are included in the Senate financial plan and I think for the public, we all need to know that.

"Thank you."

APPOINTMENT OF CONFEREES

S.B. No. 1089, S.D. 1 (H.D. 1):

The President appointed Senator M. Ige 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. 1089, S.D. 1.

H.B. No. 718, H.D. 1 (S.D. 2):

The President appointed Senator Kawamoto 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. 718, H.D. 1.

ADJOURNMENT

At 12:13 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., Wednesday, April 21, 1999.

FIFTY-THIRD DAY

Wednesday, April 21, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Edward Young, Chairman of the National Spiritual Assembly of the Baha'i of the Hawaiian Islands, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

Senator Chun Oakland introduced the following recipients of the 1998 Niu Volunteer Awards sponsored by Hawaii Lawyers Care and recognized them for their outstanding volunteer legal assistance: Eric Elkind, Matthew Kohm, Robert Sadaoka, Richard Philpott (representing the law firm of Goodwill Anderson Quinn and Stifel), T. Lynne Wasson, and Owen Iida.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1734) recommending that the Senate advise and consent to the nominations of KATSUMI TANAKA, GLENN K. MURANAKA and JEFF J. COELHO to the Convention Center Authority, in accordance with Gov. Msg. No. 257.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1734 and Gov. Msg. No. 257 was deferred until Thursday, April 22, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1735) recommending that the Senate advise and consent to the nominations of JACQUELINE A. PARNELL, MAURICE TAMURA, JOHN JOSEPH MCHUGH, JR., Ph.D., SUSAN MILLER and BARRY MICHAEL BRENNAN, Ph.D., to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 260.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1735 and Gov. Msg. No. 260 was deferred until Thursday, April 22, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1736) recommending that the Senate advise and consent to the nomination of PETER B.H. KIM to the Board of Directors, Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 270.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1736 and Gov. Msg. No. 270 was deferred until Thursday, April 22, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1737) recommending that the Senate advise and consent to the nomination of STEVEN J. ARAUJO to the Aquatic Life and Wildlife Advisory Committee, County of Hawai'i, in accordance with Gov. Msg. No. 271.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1737 and Gov. Msg. No. 271 was deferred until Thursday, April 22, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1738) recommending that the Senate advise and consent to the nominations of DERYCK ISHIMOTO, JACK N. GUSHIKEN and ANTHONY KAUAHI to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1738 and Gov. Msg. No. 272 was deferred until Thursday, April 22, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1739) recommending that the Senate advise and consent to the nominations of THOMAS I. FUJIKAWA, KEN KOIKE and CREIGHTON D. ARITA to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 278.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1739 and Gov. Msg. No. 278 was deferred until Thursday, April 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1740) recommending that the Senate advise and consent to the nomination of KATHLEEN K.S.L. THURSTON to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 238.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1740 and Gov. Msg. No. 238 was deferred until Thursday, April 22, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1741) recommending that the Senate advise and consent to the nomination of PATRICK T. KUBOTA to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 258.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1741 and Gov. Msg. No. 258 was deferred until Thursday, April 22, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1742) recommending that the Senate advise and consent to the nomination of MICHAEL MCCARTNEY as Director of Human Resources Development, in accordance with Gov. Msg. No. 152.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1742 and Gov. Msg. No. 152 was deferred until Thursday, April 22, 1999.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1743) recommending that the Senate advise and consent to the nomination of LORRAINE H. AKIBA as Director of Labor and Industrial Relations, in accordance with Gov. Msg. No. 154.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1743 and Gov. Msg. No. 154 was deferred until Thursday, April 22, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1725 (Gov. Msg. No. 179):

Senator Kanno moved that Stand. Com. Rep. No. 1725 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of EIICHI JUMAWAN to the State Boxing Commission of Hawai'i, term to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1726 (Gov. Msg. No. 219):

Senator Kanno moved that Stand. Com. Rep. No. 1726 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of RANDALL M. HASHIMOTO, JAY I. ISHIBASHI and CAROL S. SAKATA to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, terms to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1727 (Gov. Msg. No. 222):

Senator Kanno moved that Stand. Com. Rep. No. 1727 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Massage Therapy of the following:

MICHELLE NAKATA and EMY M. YAMAUCHI, terms to expire June 30, 2002; and

LEE YETTA STEIN, term to expire June 30, 2003,

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 (Ihara).

Stand. Com. Rep. No. 1728 (Gov. Msg. No. 240):

Senator Kanno moved that Stand. Com. Rep. No. 1728 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Radiologic Technology Board of the following:

W. PHILIP KAU, D.V.M., term to expire June 30, 2001; and

PATRICK MCGUIGAN and ANN A. OHATA, M.D., terms to expire June 30, 2003,

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 (Ihara).

Stand. Com. Rep. No. 1729 (Gov. Msg. No. 255):

Senator Kanno moved that Stand. Com. Rep. No. 1729 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of LOWELL T. NAGAUE and LYNN S.H. HIROMOTO to the Board of Public Accountancy, terms to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1730 (Gov. Msg. No. 256):

Senator Kanno moved that Stand. Com. Rep. No. 1730 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of BARBARA M. KOKUBUN and MILTON Y. MIGITA to the State Board of Barbering and Cosmetology, terms to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1731 (Gov. Msg. No. 261):

Senator Kanno moved that Stand. Com. Rep. No. 1731 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of JASON MOON and KENT KOIKE to the Board of Pharmacy, terms to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1732 (Gov. Msg. No. 262):

Senator Kanno moved that Stand. Com. Rep. No. 1732 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of JIM BECKER, STEVE HIRANO, RICKY C. MANAYAN and SCOTT SHIRAI to the Board of Public Broadcasting, terms to expire June 30, 2003, 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 (Ihara).

Stand. Com. Rep. No. 1733 (Gov. Msg. No. 148):

Senator Kanno moved that Stand. Com. Rep. No. 1733 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of KATHRYN S. MATAYOSHI as Director of Commerce and Consumer Affairs, term to expire December 2, 2002, seconded by Senator Taniguchi.

Senator Kanno rose in support of the nominee and said:

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

"Mr. President, your Committee on Commerce and Consumer Protection received strong and unanimous support for Ms. Kathy Matayoshi's nomination as Director of DCCA, both from within and outside of the department. Administrators and employees of DCCA testified that Ms. Matayoshi is an open, responsive, intelligent, and hard working leader who, in difficult fiscal times, has balanced the competing interests of the 14 divisions and offices under her management in a fair and even-handed manner. Professional organizations whose members are regulated by the department and members of the business community attested to Ms. Matayoshi's accessibility and professionalism, and fairness in balancing the interests of consumers and business.

"Mr. President, I urge my colleagues to vote 'aye' in support of the nominee."

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

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

At this time, Senator Kanno introduced Ms. Matayoshi who was seated in the gallery.

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 66, H.D. 1	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
No. 73	Jointly to the Committee on Government Operations and Housing and the Committee on Ways and Means

Senator M. Ige rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I, like Senator Anderson, this morning got up -- I don't know how early; I know it wasn't 5:30 -- and got to the newspaper and read that, or basically found out that the Governor, who we know is campaigning for the Attorney General's reappointment, is saying that those Senators who are opposed to her reappointment are doing so because of special interests. He identifies the Bishop Estate, tobacco and gasoline companies as special interests.

"Mr. President, I find these allegations so very unfortunate. I believe that all of us here -- all of us here -- vote based on what we believe is right for Hawaii and not based on special interests. But speaking about special interest, I did find to be of interest, maybe even of special interest to me, the fact that two of the litigations -- tobacco and gasoline -- have been given by the Attorney General to one law firm. Let me tell you who the

law firm is: Galiher DeRobertis Nakamura Ono Takitani. Mr. President, I hope -- I sincerely hope -- there is no personal interest in this selection because if there is, if there is, it will be of interest to all of us.

"Thank you."

Senator D. Ige, for the Committee on Education and Technology, requested a waiver pursuant to Senate Rule 20 for Gov. Msg. Nos. 182, 241 and 245, and the Chair granted the waiver.

Senator Chumbley, for the Committee on Judiciary, requested a waiver pursuant to Senate Rule 20 for Gov. Msg. Nos. 289 and 295, and the Chair granted the waiver.

At 12:11 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.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, the other day I said it was too bad that the Governor hasn't made a decision on where the prison should be constructed. He picked several different areas on the Big Island, but not wanting to get in the way of any of our three Senators from the Big Island, it was up in the air. I did say it was also our fault because the prison financing is not in the budget. But to find out we're now going to have a new location in Vegas, really got me a little upset. As I said the other day, the Governor with his staff, or at least the majority party with their staff, could certainly get information as to what happens if you privatize a prison.

"Well, I asked our staff if they would do some research. And it seems that the growth in the U.S. incarceration population results in an increase in the cost of incarceration. We make laws that mandate jail or mandate prison, and then we turn around and we don't ensure there are proper facilities to incarcerate offenders!

"In 1995, there was 1,365 state correctional facilities -- 289 of those were maximum security; 438 medium security; and 648 minimum security. In 1995, the census reported that there were 98 private correctional facilities under contracts to state authorities. By 1999, a study showed that there were 119 private correctional facilities in the United States. Now we have where these facts came from. It was the United States Department Bureau of Justice. There's all kinds of documentation on the growing need for prison construction.

"One of the other things that we found out is a private prison can be built in Hawaii. We've been saying that it could help if we were to build it at home here and have the private sector take over, rather than the state borrowing money. And last night I understood (when we were in Finance and I went through some of the provisos) that to pay for our GO bonds interest and principal will cost the state some \$400 million. So there's nothing wrong with looking at private enterprise. For example, Texas has 43 private prisons within the state, and the State of Texas found that the private prisons have positive economic impacts, i.e., they hire local employees, purchase local goods and they contribute to the tax base. And I would think that would make my colleague here from God's country very happy because we're helping our local industry.

"I also know we can draft anything in the appropriate legislation we want so that we have some kind of impact on what happens if we want private enterprise to build that prison. The legislation can approve a low, medium, or maximum security facility, what type of construction, etc. Legislators can choose the Department of Public Safety to oversee the bid to

ensure that they hire enough guards or administrators and that the facility down to the food will be adequate.

"There's all kinds of ideas and data available. And for us to sit back and allow a prison to be built in Vegas is a shame. I'm not sure if that means that every cell will have a one-arm bandit or that we're going to have the recreational facility into a casino.

"You know, we have to make some decisions that are tough, ladies and gentlemen, and we're not doing it. Neither is the Governor and he's the highest elected official in this State to make decisions. And he should not say, well, I don't want to hurt this Senator or that House member or this person, so I'll keep changing that facility location. That's not being a leader.

"So there's all kinds of data out there, there's information. The majority party can get it; the Governor can get it. And I would hope that once he makes the decision, then we will go ahead and fund this much needed facility like we're supposed to.

"Thank you very much, Mr. President."

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 1518 (H.D. 1):

The President appointed Senator Chun 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. 1518.

H.B. No. 139, H.D. 1 (S.D. 2):

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 Senate to H.B. No. 139, H.D. 1.

H.B. No. 140 (S.D. 2):

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 Senate to H.B. No. 140.

H.B. No. 150, H.D. 2 (S.D. 1):

The President appointed Senator Chun 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. 150, H.D. 2.

H.B. No. 985, H.D. 1 (S.D. 2):

The President appointed Senator Chun as a manager and discharged Senator Matsuura as a 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. 985, H.D. 1.

ADJOURNMENT

At 12:19 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., Thursday, April 22, 1999.

FIFTY-FOURTH DAY

Thursday, April 22, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Richard Pease, The Salvation Army, Central Oahu Corps, 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 Sakamoto congratulated the Moanalua High School Girls Wrestling Team on becoming the Hawaii High School Athletic Association State Champions, as well as the Oahu Interscholastic Association, Western Division Champions for 1999 and introduced the following individuals: Coach Joel Kawachi; Jacqueline Heupel, principal; George Goto, athletic director; and co-captains Renee Nakata and Shelley-Ann Tomita.

Senator M. Ige then introduced Keolalaulani Dalire of Keolalaulani Halau 'Olapa 'O Laka and congratulated her on capturing the title of Miss Alhoa Hula at the 36th Annual Merrie Monarch Festival. Accompanying Miss Dalire was her mother, kumu hula Aloha Dalire, and her father, John Dalire.

Senators Ihara and Matsunaga congratulated the Kaimuki High School Cheerleading Squad on becoming the 1999 National Cheerleader Champions, Small Varsity Division, and the 1999 Hawaii State Cheerleader Grand Champions and introduced the following members of the squad: Christine Nguyen, Ludia Park, Noweo Akau, Jo'el Lujan, Lindy Nagata, Linda Nguyen, Joy Okada and Iwalani Yamaguchi. Accompanying the young ladies were Coach Brandy Rhinelander, and advisor, Gail Gushikuma.

Senator Kawamoto introduced Admiral Dennis C. Blair, Commander in Chief of the U.S. Pacific Command, and his wife Diane and extended a warm welcome-back and aloha to the Admiral and his family.

Senator Kawamoto then introduced General Patrick K. Gamble, Commander of the Pacific Air Forces, and extended best wishes and a warm aloha to the General, his wife Aileese, and his family.

At this time, the Chair appointed Senators Kawamoto, Anderson and Ihara to escort Admiral Blair and General Gamble to the rostrum to address the members of the Senate.

Admiral Blair addressed the members of the Senate and their guests as follows:

"Thank you very much, Senators.

"When General Gamble and I are in a group, generally we're the best looking uniforms there, but this morning we've been completely upstaged by the uniforms and the skills of the Kaimuki cheerleaders. (Laughter.) It was very nicely done, ladies, and let me know who your tailor is and we'll see what we can do. (More laughter.)

"Thank you very much for this recognition. The State of Hawaii has always meant a great deal to the Armed Forces of the United States, both the Hawaiians who have served with honor and distinction in the past -- the 442nd Regiment, of course, with its distinguished history; the workers at Pearl Harbor Shipyard who patched together two old aircraft carriers

which went out to win the greatest battle in naval history. Hawaii has always made a great contribution to our armed forces, and the way I see the future, it will in upcoming years as well.

"By the same token, the armed forces have always meant a great deal to Hawaii. When we woke up this morning there were about 44,000 of us who put on the uniform and went to work here in Hawaii or on the ships that are stationed here. And by the time you add in our families, the civilian workers who work side-by-side with us, the guardsmen, the reservists, the retirees, their families, there are about 120,000 of us who live here in Hawaii who are connected with the Armed Forces of the United States. So we mean a great deal to this State as well.

"Our goal is to be good residents, good neighbors, and to work in very close cooperation with the people of Hawaii, their elected representatives and all the officials who are here in this State. I hope that when they look back on these years in the future, they will look at these years as a time in which those of us in uniform and those of you who live in this State worked together to solve the problems that face us, both for our country, for the State, and for all of our people. And it certainly is my goal, during my time here, to work with you towards that end.

"Thank you very much."

General Gamble then addressed the members of the Senate and their guests as follows:

"Mr. President, Senators and friends -- let me first say thank you for the honor that you do me, personally, and my wife Aileese, who is out of town and couldn't be here today.

"The spirit of aloha is something that we are learning, having only been here eight months, and appreciating very much because it has so much more to it than the simple word that it is. As a Commander, I know you look upon me as I stand here representing some 45,000 Air Force people in the Pacific, and believe me, we all have felt the spirit of aloha and it's made coming to the Islands one of the premier assignments in the Air Force, and I certainly am happy to be a part of that. And on behalf of all those who have been the beneficiaries of that grateful hospitality and the openness that the heart feels when welcoming a stranger into your area, let me say thank you on behalf of all those Air Force people and those that will come long into the future.

"We in the Air Force are part of a joint team here in Hawaii. I am a component commander and offer aerospace capability to my commander the CINC, and that teamwork and that jointness is very, very important and it is epitomized, I think, best of all by the fact that our headquarters here are almost co-located and so this becomes a very, very important military location for an area that covers half of the world. I'm very thankful for that because it makes my job easier and it makes our effectiveness in the Pacific much better to be co-located and have our staffs be able to work together. And we've done this for a long time here. I think the first airplane showed up here in about 1917. Luke Field out on Ford Island was where the first flight of an aircraft in the Army Air Corps occurred here in the islands, and then within two years we were carrying the mail to Hilo. And we've been here ever since and it looks like we're going to be here to stay because, unfortunately as we all know, the world is not an easy place to get along, and U.S. security interests out here will need the entire team, all the forces, and the Air Force is a part of that team.

"I think it would be safe to say at this point in time, as you look at world events, that we could not do what we're doing these days in the Air Force unless we were a total team. A total

team effort means our Reserve and Guard Forces too, and your Air National Guard and the 154th here are so very important to what we do in the Pacific. I am very grateful that I have them by my side doing the job that I have to do. But I must tell you that they don't just stay here in the Pacific. Right now their aircraft are in Iceland pulling air defense alert. Their tankers have been to Bosnia and Kosovo, and their C-130's fly missions throughout the Pacific. You can be very, very proud of them as I am.

"Finally, let me say on behalf of all the Air Force people that I represent, that we in the community here admire you for what you are doing to step up to very difficult challenges and decisions of running a government that has all the problems that governments have that face you every single day, trying to make apportionment decisions, resource decisions, decisions that affect all the citizenry of the Islands, including all those Air Force people who are part of your community. We know that's tough and we know that the decisions you make are people decisions and we're part of those people. And on behalf of all those who appreciate the good work that you do, let me say thank you for that and for what you do, just as you've honored me this morning.

"Thank you very much."

At 12:13 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.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 345, dated April 20, 1999, transmitting the 1998 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 684, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 1013 and the amendments proposed by the Senate were agreed to by the House and H.B. No. 1013, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1999, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1744) recommending that S.R. No. 53 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1745) recommending that the Senate advise and consent to the nomination of BRUCE S. ANDERSON, Ph.D., as Director of Health, in accordance with Gov. Msg. No. 151.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1745 and Gov. Msg. No. 151 was deferred until Monday, April 26, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1746) recommending that the Senate advise and consent to the nomination of SUSAN MEYERS CHANDLER, Ph.D., as Director of Human Services, in accordance with Gov. Msg. No. 153.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1746 and Gov. Msg. No. 153 was deferred until Monday, April 26, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1734 (Gov. Msg. No. 257):

Senator Inouye moved that Stand. Com. Rep. No. 1734 be received and placed on file, seconded by Senator Buen and carried.

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

KATSUMI TANAKA, term to expire June 30, 2002; and

GLENN K. MURANAKA and JEFF J. COELHO, terms to expire June 30, 2003,

seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1735 (Gov. Msg. No. 260):

Senator Inouye moved that Stand. Com. Rep. No. 1735 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of JACQUELINE A. PARNELL, MAURICE TAMURA, JOHN JOSEPH MCHUGH, JR., Ph.D., SUSAN MILLER and BARRY MICHAEL BRENNAN, Ph.D., to the Advisory Committee on Pesticides, terms to expire June 30, 2003, seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1736 (Gov. Msg. No. 270):

Senator Inouye moved that Stand. Com. Rep. No. 1736 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of PETER B.H. KIM to the Board of Directors, Aloha Tower Development Corporation, term to expire June 30, 2003, seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1737 (Gov. Msg. No. 271):

Senator Inouye moved that Stand. Com. Rep. No. 1737 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of STEVEN J. ARAUJO to the Aquatic Life and Wildlife Advisory Committee, County of Hawai'i, term to expire June 30, 2003, seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1738 (Gov. Msg. No. 272):

Senator Inouye moved that Stand. Com. Rep. No. 1738 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of DERYCK ISHIMOTO, JACK N. GUSHIKEN and ANTHONY KAUAHI to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, terms to expire June 30, 2003, seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1739 (Gov. Msg. No. 278):

Senator Inouye moved that Stand. Com. Rep. No. 1739 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of THOMAS I. FUJIKAWA, KEN KOIKE and CREIGHTON D. ARITA to the Board of Directors, High Technology Development Corporation, terms to expire June 30, 2003, seconded by Senator Buen.

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

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

Stand. Com. Rep. No. 1740 (Gov. Msg. No. 238):

Senator Hanabusa moved that Stand. Com. Rep. No. 1740 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of KATHLEEN K.S.L. THURSTON to the Hawaiian Homes Commission, terms to expire June 30, 1999 and June 30, 2003, seconded by Senator Chun.

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

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

Stand. Com. Rep. No. 1741 (Gov. Msg. No. 258):

Senator Hanabusa moved that Stand. Com. Rep. No. 1741 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of PATRICK T. KUBOTA to the Hawai'i Community Development Authority, term to expire June 30, 2003, seconded by Senator Chun.

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

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

Stand. Com. Rep. No. 1742 (Gov. Msg. No. 152):

Senator Nakata moved that Stand. Com. Rep. No. 1742 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of MICHAEL MCCARTNEY as Director of Human Resources Development, term to expire December 2, 2002, seconded by Senator M. Ige.

Senator Nakata rose in support of the nominee and said:

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

"Mr. McCartney is a former colleague of many of you, so you know him well. He has a Bachelor of Science degree from Pacific University. He has completed graduate studies in mediation and conflict resolution at the University of Hawaii at Manoa, skills which I think stood him in good stead when he was in this body. I look forward to working with him in these skill areas in the near future as we work on civil service reform.

"Mr. McCartney also has served for ten years in this body and he chaired the Committees on Education, Higher Education, Governmental Operations, and Labor and Human Resources. He also served as Negotiations Specialist and Field Representative for the Hawaii State Teachers Association.

"He has been honored with several awards including the Freshman Legislator of the Year awarded by the University of Hawaii Professional Assembly, the Nona Beamer Community Service Award for Exceptional Leadership awarded by the Hawaii Association for the Education of Young Children, the Lawmaker of the Year awarded by Small Business Hawaii, Good Guy Award for Open Government awarded by Common Cause Hawaii, and the Provost Award for Outstanding Public Service awarded by Windward Community College.

"He was supported in the hearing by a diverse group of individuals and groups -- the Personnel Director for the Judiciary, the Director of Human Resources for the City and County of Honolulu, Director of Personnel for Hawaii County and the other counties, Hawaii Health Systems Corporation, and several other organizations.

"We all know the kind of person that Mike is, the optimism and the commitment that he brings to the work that he does. We know his human traits, his ability to work with people. So I highly recommend this nominee for advise and consent.

"Thank you."

Senator Kawamoto also rose to speak in support of the nominee and said:

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

"Mr. President, former Senator Mike McCartney and I many times were on opposite sides, primarily because he was from the Windward side and I was from the Leeward side. But anyway, we had our fights, we had our arguments, we had our positions.

"One really stands out in my mind. He sat there and he said, 'You know, Kawamoto, why can't I be hard-head like you?' Why couldn't he be that way? I said, 'Well, Senator, you're the Majority Co-leader, and you're campaign coordinator for the Governor. That's the difference.' He realized that and we had a few discussions.

"All in all, he is a man of vision, a man of understanding the makings of the Senate. I personally thank him for the many lessons that he has given me.

"So, Mike, best wishes. 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 (Tanaka).

At this time, Senator Nakata introduced and congratulated former Senator Mike McCartney who was seated in the gallery with his family and friends.

Stand. Com. Rep. No. 1743 (Gov. Msg. No. 154):

Senator Nakata moved that Stand. Com. Rep. No. 1743 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of LORRAINE H. AKIBA as Director of Labor and Industrial Relations, term to expire December 2, 2002, seconded by Senator M. Ige.

Senator Nakata rose in support of the nominee as follows:

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

"Lorraine Akiba has already served in this office for four years and she has served with distinction. She holds a Bachelor degree in Political Science from the University of California at Berkeley and a J.D. degree from Hastings College of Law. Ms. Akiba has 13 years of legal experience in private practice including environmental law, real estate, products liability, and lender liability litigation. She has been honored with several awards and honors including Phi Beta Kappa membership and Outstanding Lawyer of 1990 awarded by the Hawaii Women Lawyers.

"She was also supported strongly by many administrators, office chiefs and heads of administratively attached agencies of her department, the USDA Forest Service Institute of Pacific Islands Forestry, Maui County Private Industry Council, Maui Economic Development Board, Inc., the Hawaii School-to-Work Executive Council, the YWCA of Oahu, Catholic Charities of the Diocese of Honolulu, Child and Family Service, and many other organizations and a number of individuals.

"It has been a pleasure working with Ms. Akiba. She is someone of energy and talent, a strong leader. I must say, though, that she talks awfully fast, and one of the suggestions that I would have for her is that she slow down a little bit so that the rest of us can keep up with her.

"I would urge this body to support her confirmation.

"Thank you."

Senator Kawamoto rose in opposition to the nominee and said:

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

"Mr. President, a long time ago if you will remember, maybe some of you don't, but there was a guy named Lucky Luck, and he said, 'If you cannot say anything good about nobody, no say nothing.' Well, in this instance I'm just trying to make a point and maybe the message will get across.

"Four years ago when we had Ms. Akiba as a nominee, I went 'with reservations.' My primary reservation was because of the fact that we had 19 transition centers in the high schools. This was a pilot project, and in the midst of her appointment there was a discussion whether they go to the Department of Education or stay in Labor. Efforts were made and it went to the Department of Education. This is really a great program.

During this time, we had a conference with many student leaders from the State and the number one program that the students wanted at their school was transition centers. They wanted one for every school. So the pilot project worked. We finally gave it to the DOE and as everything happened as we thought, funds cut in the DOE were still available, and we had around a million dollars in the Department of Labor to run this program, yet after three years, we do not have any. Waipahu High School had the only transition center and it just died about a year-and-a-half ago.

"The concern is here because of the desire to have our workforce ready to work. Many of the employees and many of the small business folks, as you have heard Senator Slom say, indicate that the quality of the workforce that's coming out of high school is not as good as it used to be. And there are many complaints about the workforce.

"So I felt, at that time, that the transition center had done a great job, so did the students. The students that came to this statewide conference voted unanimously, all except for one person that was against it. But this was the number one -- number one -- program they wanted in their schools. Today, we do not have it. Although school-to-work was supposed to be the answer to this program, because of different emphasis, we haven't touched on the workforce of our public and private employers.

"And these past four years we had opportunities to enhance labor -- which is the name of her department, Labor Department. We haven't done that. Most recently, we asked the Department, and even if it was a consensus within the Minority Party, asked the Department to look at a definition of state resident so that we could enhance our chances for more federal jobs, because we want to define state resident. And we had a symposium and we still didn't get one. So finally we asked the Tax Department to help us with that and we finally found a definition. But we're in the midst of a big fight with the House. And we're talking about trying to get jobs for the State of Hawaii. We're trying to define what a labor task force is. We're trying to define what a state resident is. And we haven't done that. That's my concern that's out there.

"I always try to live up to Lucky Luck, but sometimes we have to speak out about our concerns so we can progress in what we're trying to do.

"Thank you very much."

Senator Chun also rose to speak against the nominee and said:

"Mr. President, I reluctantly stand in opposition to the nomination.

"I was going to originally, Mr. President, go W/R on this one, but I think after being reminded that I'm a hard head sometimes just like the Senator from Waipahu, he reminded me about some of the problems that we've been having this session.

"He reminded me of the PLA, and even though I did not support that bill brought up by the Honorable Senator from Waipahu, I took the time and talked to the people who really supported it as to why we need to have a bill like that. And they kept on coming back and telling us because of the failure of the Departments to enforce the laws. It forces now a bill in front of us to basically take care of that problem.

"I remember in the past, also, we had another bill in front of us from the physicians asking for a change in the workers compensation schedule. They put a bill in front of us to ask us to legislate that kind of change because of the failure of the Department to take into consideration their concerns and to make that change.

"I also recall another bill in front of us regarding . . . see, right now I forgot what it was. But time and time again we have bills in front of us not because the law needs to be changed but because there is a failure in the administration to do something about that. And if you recall, Mr. President, I came in and talked on another bill and said, Why do we keep on coming and having arguments amongst ourselves about bills which could easily be taken care of if the departments were doing their jobs?"

"Now, not to pick on Ms. Akiba, because I'm confident that she has the votes right now, today, to get confirmed and I'm happy for her for that, but I also believe that I need to stand up and make a statement. When we vote for these people to confirm and to advise and consent, we've got to remember not only the good things they've done, because Ms. Akiba has done some very good things -- she has a lot of energy; she's very intelligent; she has some good people working for her -- but we also must remember why our government is the way it is right now, and that is because we have not gone forward to make ourselves better and we try to legislate people to make them better. We can't do that.

"I would hope that with this comment Ms. Akiba will look through her department and try to work with the people to make sure that our laws -- the laws that we have on the books right now -- are enforced adequately so we don't have to keep on making patch-work quilts of laws to take care of situations because our workers don't work, or because our priorities don't match up with our laws.

"I am reluctant. I know I'm taking a risk over here. I know that maybe the former Senator holding this chair probably would have not said anything. But I think we probably would need to remember that the reason why we came over, the reason why the public wants our advice and consent is to look solidly at all aspects of a person's qualifications and a person's performance and to make sure we send a message that the performance has to meet the law, and we have to make sure that's done.

"Mr. President, I reluctantly have to stand up because not often do I agree with the Honorable Senator from Waipahu, but I agree with him on this one point that we need to send a message and the message is -- please, don't make us have to do laws because your department is not able to address problems of the community.

"Thank you, Mr. President."

Senator Slom also rose in opposition and said:

"Mr. President, I, too, rise in opposition to the nominee.

"I'm not concerned about the fast talking of the nominee. I'm concerned about the actions and particularly how they have impacted the 24,000 small businesses in this State. For most small businesses this Department is the single most important, single most powerful, and single biggest problem that small business owners have to deal with. It is, after all, the Department of Labor, and yet I think that the leadership has forgotten that labor includes all of us -- all of us who work, including those of us who own businesses. We labor all the time. Yet, there seems to be a different standard for those that own businesses and how they're treated, particularly, in the various divisions -- workers compensation, unemployment compensation and OSHA or HIOSH. There have been problems, and the problems have been discussed but they have not been addressed.

"Another specific problem that I've had from the very beginning has been the attitude of the Department in regards to the employee payroll and training tax. Initially, that tax was instituted for a five-year period with a specific sunset date. The leadership of the Department of Labor supported that, advocated it, then when it came time near to the five-year

period, lobbied extensively to get that date removed and the plan continued. There was then a moratorium of that tax, and during that period of the moratorium the Department aggressively went out, took money that had not been used previously and gave from one group of people to another group of people encouraging them -- individuals, small businesses and organizations -- to utilize the money, in effect, telling them, 'You know, you've paid the money in, you might as well get some back.' But the problem is that most people, most businesses did not get anything back; did not want to have the money removed in the first place.

"And now the tax is reinstated on Hawaii's employers. And I asked the nominee what the position was in terms of the future, and the future is not that this program be sunsetted or this tax be relaxed, but that it be continued and probably expanded.

"So for these and other reasons, Mr. President, I will be voting 'no' on 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 (Chun, Hanabusa, Kawamoto, Slom). Excused, 1 (Tanaka).

At this time, Senator Nakata introduced and congratulated Ms. Akiba who was seated in the gallery.

Senator Chumbley rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and colleagues, on Tuesday morning the State of Hawaii awoke to the horror and the tragedy taking place at Columbine High School in Littleton, Colorado. At a time when we are so engaged in debate and deliberations on the issues facing the citizens of our State, these discussions seem so insignificant to the problems in Colorado. One can only imagine the shock and grief that the fellow students, the families and the community of Littleton are feeling today. I was encouraged this morning, Mr. President, to hear that there is an extensive effort to provide crisis counselling to the thousands of students, families and the community affected by this horrific act.

"Mr. President and colleagues, we are truly blessed that here in Hawaii our schools are considered safer than most. However, this does not mean that a similar incident could not take place here in any community in Hawaii. To my fellow policy makers, to the Department of Education, to the teachers and parents, statewide, who may be listening at this moment, I urge you to get involved in your community schools to develop programs and curriculum which teach our young children anger and conflict management. At a time when we are inundated with violence and blood throughout the millions of TV sets across our nation and as Hollywood continues to bring us more of the same on the big screens, we must -- we must -- resolve our differences with words and not with violence.

"Mr. President, in memory of the slain students and teacher at Columbine High School, I request a standing adjournment with a moment of silence for all of them.

"Thank you."

The Chair so ordered.

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:53 o'clock p.m.

**RE-REFERRAL OF
SENATE RESOLUTION**

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 52	Committee on Transportation and Intergovernmental Affairs

**RE-REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 6	Committee on Transportation and Intergovernmental Affairs
No. 7, H.D. 1	Committee on Education and Technology
No. 12, H.D. 1	Committee on Health and Human Services
No. 14, H.D. 1	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology
No. 18, H.D. 1	Committee on Education and Technology
No. 35, H.D. 1	Committee on Judiciary
No. 60	Committee on Judiciary
No. 76, H.D. 1	Jointly to the Committee on Education and Technology and the Committee on Health and Human Services
No. 79	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology
No. 94	Committee on Education and Technology
No. 169	Committee on Health and Human Services
No. 190, H.D. 1	Committee on Health and Human Services
No. 196	Committee on Judiciary
No. 203	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs
No. 218	Committee on Education and Technology
No. 219	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs
No. 220, H.D. 1	Committee on Transportation and Intergovernmental Affairs
No. 232, H.D. 1	Committee on Health and Human Services
No. 236, H.D. 1	Committee on Education and Technology

No. 237, H.D. 1 Committee on Education and Technology

No. 249, H.D. 1 Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs

At 12:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:56 o'clock p.m.

**APPOINTMENT AND DISCHARGE
OF CONFEREES**

H.B. No. 955, H.D. 1 (S.D. 1):

The President discharged Senator Ihara as a 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. 955, H.D. 1.

H.B. No. 1620, H.D. 1 (S.D. 2):

The President appointed Senator Bunda 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. 1620, H.D. 1.

ADJOURNMENT

At 12:58 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., Monday, April 26, 1999, on a rising vote and observing a moment of silence in memory of the tragedy at Columbine High School in Littleton, Colorado.

FIFTY-FIFTH DAY

Monday, April 26, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Eiko Watanabe, Nichiren Mission 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-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 346 to 348) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 346, informing the Senate that on April 22, 1999, he signed the following bills into law:

Senate Bill No. 1478 as Act 21, entitled: "RELATING TO PLANTS";

House Bill No. 102 as Act 22, entitled: "RELATING TO WAGE PAYMENTS"; and

House Bill No. 1492 as Act 23, entitled: "RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION,"

was placed on file.

Gov. Msg. No. 347, informing the Senate that on April 23, 1999, he signed the following bills into law:

House Bill No. 1026 as Act 24, entitled: "RELATING TO INSURANCE PREMIUM TAXES";

House Bill No. 1042 as Act 25, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1044 as Act 26, entitled: "RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES";

House Bill No. 1121 as Act 27, entitled: "RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997";

House Bill No. 1165 as Act 28, entitled: "RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND"; and

House Bill No. 1168 as Act 29, entitled: "RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM,"

was placed on file.

Gov. Msg. No. 348, advising the Senate that a term to expire of the nominations to the Community-Based Economic Development Advisory Council under Gov. Msg. No. 288, dated April 15, 1999, has been amended as follows: DAVID FUERTES, term to expire June 30, 2001; JOHN ISOBE and LORRAINE M. MENDOZA, terms to expire June 30, 2002; and DAVID B. FISHER, JOYCE L.E. KAAIHUE, ALAN T. MURAKAMI and YOU SOUKASEUM, terms to expire June 30, 2003, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 685 and 686) were read by the Clerk and were placed on file:

Hse. Com. No. 685, informing the Senate that the Speaker on April 22, 1999, discharged Representative Ahu Isa as a co-chairman and appointed Representative Chang as a co-chairman on the part of the House at the conference on H.B. No. 827, H.D. 3, S.D. 1.

Hse. Com. No. 686, informing the Senate that the Speaker on April 22, 1999, made the following changes in House conferee assignments to the following bills:

H.B. No. 122, H.D. 2 (S.D. 1):

Representative Arakaki appointed as an additional co-chairman.

H.B. No. 142, H.D. 1 (S.D. 2):

Representatives Goodenow and Moses appointed as additional managers.

H.B. No. 150, H.D. 2 (S.D. 1):

Representative Takai appointed as an additional manager.

H.B. No. 274, H.D. 3 (S.D. 2):

Representative Hamakawa replaces Representative P. Oshiro as co-chairman.

H.B. No. 310, H.D. 1 (S.D. 1):

Representative Takai appointed as an additional manager.

H.B. No. 318 (S.D. 1):

Representative Takai appointed as an additional manager.

H.B. No. 377, H.D. 2 (S.D. 2):

Representative Chang replaces Representative Ahu Isa as co-chairman.

H.B. No. 1111, H.D. 2 (S.D. 2):

Representative Hamakawa replaces Representative P. Oshiro as co-chairman.

H.B. No. 1454, H.D. 2 (S.D. 2):

Representative Hamakawa replaces Representative P. Oshiro as co-chairman.

S.B. No. 59, S.D. 1 (H.D. 1):

Representative Yoshinaga appointed as an additional manager.

S.B. No. 1046, S.D. 3 (H.D. 2):

Representatives Goodenow and Moses appointed as additional managers.

STANDING COMMITTEE REPORTS

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1747) recommending that the Senate advise and consent to the nominations of BERT A. KOBAYASHI, AH QUON MCEL RATH, CHARLES NAINOA THOMPSON,

ALLAN K. IKAWA and SHARON R. WEINER to the Board of Regents, University of Hawai'i, in accordance with Gov. Msg. No. 241.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1747 and Gov. Msg. No. 241 was deferred until Tuesday, April 27, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1748) recommending that the Senate advise and consent to the nomination of CHRISTOPHER T. KOBAYASHI to the Board of Directors, Research Corporation of the University of Hawai'i, in accordance with Gov. Msg. No. 245.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1748 and Gov. Msg. No. 245 was deferred until Tuesday, April 27, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1749) recommending that the Senate advise and consent to the nomination of CHARLES M. FREDMAN to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 182.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1749 and Gov. Msg. No. 182 was deferred until Tuesday, April 27, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1750) recommending that the Senate advise and consent to the nomination of MARILYN A. MATSUNAGA as State Administrator, State Health Planning and Development Agency, in accordance with Gov. Msg. No. 263.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1750 and Gov. Msg. No. 263 was deferred until Tuesday, April 27, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1751) recommending that the Senate advise and consent to the nominations of LANCE K. GILLILAND, PAULINE SATO, PHILIP K. OTA, STEVEN S.C. LIM, CHARLES A. PRENTISS, Ph.D., and MICHAEL A. FAYE to the Environmental Council, in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1751 and Gov. Msg. No. 276 was deferred until Tuesday, April 27, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1752) recommending that the Senate advise and consent to the nomination of RICHARD H. COX to the Board of Certification of Operating Personnel in Water Treatment Plants, in accordance with Gov. Msg. No. 322.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1752 and Gov. Msg. No. 322 was deferred until Tuesday, April 27, 1999.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1753) recommending that H.C.R. No. 201, 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 joint report of the Committees was adopted and H.C.R. No. 201, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES ENGAGED IN THE TOURISM INDUSTRY," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1754) recommending that H.C.R. No. 4, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 4, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1755) recommending that H.C.R. No. 47, 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. 47, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT RESOLUTION NO. 98-226, PROPOSING AMENDMENTS TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, RELATING TO ZONING OF ADULT ESTABLISHMENTS," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1756) recommending that H.C.R. No. 64, H.D. 1, 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. 64, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION'S SUPPORT FOR THE DESIGNATION AND ESTABLISHMENT OF A NATIONAL GUARD RAPID ASSESSMENT AND INITIAL DETECTION TEAM IN HAWAII TO ASSIST THE STATE IN RESPONDING TO NUCLEAR, BIOLOGICAL, OR CHEMICAL THREATS," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1757) recommending that H.C.R. No. 6, 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. 6, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALTERNATIVE ACCESS ROUTES TO MAJOR COMMUNITIES CURRENTLY SERVED BY A SINGLE ACCESS ROADWAY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1758) recommending that H.C.R. No. 94, 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. 94, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN

HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1759) recommending that H.C.R. No. 218 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. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A STATEWIDE PROGRAM FOR HAWAII'S SCHOOLS THAT FOCUSES ON STRONG ACADEMIC STANDARDS, ASSESSMENT TESTING, AND ACCOUNTABILITY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1760) recommending that H.C.R. No. 236, H.D. 1, 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. 236, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INCREASE EFFORTS TO RECRUIT NON-RESIDENT STUDENTS TO STUDY MEDICINE AT THE JOHN A. BURNS SCHOOL OF MEDICINE AND TO SECURE RESEARCH FUNDS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1761) recommending that H.C.R. No. 237, H.D. 1, 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. 237, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A TEMPORARY ADVISORY COMMISSION TO RECOMMEND A NEW FINANCIAL STRUCTURE FOR LOWER EDUCATION THAT IS COORDINATED WITH EDUCATION GOALS," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1762) recommending that H.C.R. No. 220, H.D. 1, 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. 220, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE AIRPORT DIVISION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO WORK CLOSELY WITH AIR CARRIERS SERVING HAWAII TO DEVELOP STRATEGIES TO EFFECTIVELY REDUCE AIRPORT SYSTEM COSTS TO ACHIEVE LOW AND STABLE AIRPORT LANDING FEES, RATES, AND CHARGES," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1763) recommending that H.C.R. No. 56, H.D. 1, 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. 56, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO CONFIRM THE NOMINATION OF GENERAL ERIC SHINSEKI AS THE 34TH CHIEF OF STAFF OF THE UNITED STATES ARMY," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1764) recommending that S.R. No. 52, 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.R. No. 52, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES SENATE TO CONFIRM THE NOMINATION OF GENERAL ERIC SHINSEKI AS THE 34TH CHIEF OF STAFF OF THE UNITED STATES ARMY," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1765) recommending that H.C.R. No. 15, H.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. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1766) recommending that H.C.R. No. 35, H.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. 35, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY, THE HAWAII PAROLING AUTHORITY, AND THE JUDICIARY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1767) recommending that H.C.R. No. 60 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. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO USE ALL AVAILABLE INFORMATION TO PROCEED WITH THE SYSTEMATIC IDENTIFICATION OF INMATES CURRENTLY INCARCERATED WHO HAVE DUAL OCCURRING DIAGNOSES OF MENTAL DISORDERS AND ALCOHOL OR SUBSTANCE ABUSE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1768) recommending that H.C.R. No. 65, H.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. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO LOOK AT DOMESTIC VIOLENCE POLICIES AND PROCEDURES OF THE CRIMINAL JUSTICE SYSTEM ON OAHU AND IDENTIFY GAPS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1769) recommending that H.C.R. No. 196 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. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO COORDINATE A COMPREHENSIVE ANALYSIS OF CURRENT PROTECTIONS OF THE

PRIVACY OF PERSONAL INFORMATION AND TO SUBMIT PROPOSED LEGISLATION TO THE 2000 LEGISLATIVE SESSION," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1770) recommending that H.C.R. No. 232, H.D. 1, 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. 232, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT INFANT AND CHILD CARDIOPULMONARY RESUSCITATION, RESPIRATORY RESUSCITATION, AND FIRST AID TRAINING IN THEIR ADMINISTRATIVE RULES GOVERNING LICENSURE AND REGISTRATION OF CHILD CARE PROVIDERS," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1771) recommending that H.C.R. No. 12, H.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. 12, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE OFFICE ON AGING, IN PARTNERSHIP WITH HOSPICE HAWAII, TO EDUCATE HEALTHCARE PROVIDERS AND THE GENERAL PUBLIC ON THE BENEFITS OF HOSPICE," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1772) recommending that H.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 H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1773) recommending that H.C.R. No. 190, H.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. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO EXTEND ITS SERVICES OF THE NEUROPSYCHOLOGY DEPARTMENT UNTIL APPROPRIATE AND ADEQUATE ALTERNATIVES ARE FOUND," was adopted.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1774) recommending that H.C.R. No. 63, H.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. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO REVISE ITS STRATEGIC PLAN," was adopted.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1775) recommending that H.C.R. No. 219 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 219, entitled: "HOUSE CONCURRENT

RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)," was adopted.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1776) recommending that H.C.R. No. 203 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT HAWAII'S CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1777) recommending that H.C.R. No. 22, H.D. 2, 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. 22, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO SUBMIT A STATUS REPORT ON DOCKET NO. 96-0493, INSTITUTING A PROCEEDING ON ELECTRIC COMPETITION, INCLUDING AN INVESTIGATION OF THE ELECTRIC UTILITY INFRASTRUCTURE IN THE STATE," was adopted.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1778) recommending that H.C.R. No. 9, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 9, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL LITIGATION OF THE GASOLINE CASE, AND TO EXPRESS THE LEGISLATURE'S SUPPORT FOR THIS EFFORT," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1779) recommending that the Senate advise and consent to the nomination of ALLAN LOS BANOS, JR., to the Board of Directors, Housing and Community Development Corporation of Hawai'i, in accordance with Gov. Msg. No. 191.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1779 and Gov. Msg. No. 191 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1780) recommending that the Senate advise and consent to the nominations of ROBERT M. GRANGER and ROGERENE K.M. ARCE to the Molokai Irrigation System Water Users Advisory Board, 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 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1781) recommending that the Senate advise and consent to the nominations of ISABELLA A. ABBOTT, Ph.D., GEORGINA K. KAWAMURA and BURT H. SAKATA to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 259.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1781 and Gov. Msg. No. 259 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1782) recommending that the Senate advise and consent to the nominations of BRIAN C. NISHIDA and HERBERT M. RICHARDS, JR., to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 321.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1782 and Gov. Msg. No. 321 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1783) recommending that the Senate advise and consent to the nominations of JOHN GOODY, FRANCIS I. SHIMANUKI, KELVIN K.F. CHING, DAVID HIGGINS, KIM NICHOLAS HOLLAND, Ph.D., LYNN J. LEE and KURT K. MENCH, to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 239.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1783 and Gov. Msg. No. 239 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1784) recommending that the Senate advise and consent to the nominations of LYNETTE P. TIFFANY and DUNCAN K. SETO to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1784 and Gov. Msg. No. 307 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1785) recommending that the Senate advise and consent to the nominations of DANA NAONE HALL and MEI LEE WONG to the Island Burial Council, Islands of Maui and Lanai, in accordance with Gov. Msg. No. 306.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1785 and Gov. Msg. No. 306 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1786) recommending that the Senate advise and consent to the nominations of CHARLES K.H. YOUNG and KEIKIALOHA KEKIPI to the Island Burial Council, Island of Hawai'i, in accordance with Gov. Msg. No. 305.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1786 and Gov. Msg. No. 305 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1787) recommending that the Senate advise and consent to the

nomination of RAYNARD C. SOON as Chairperson, Hawaiian Homes Commission, in accordance with Gov. Msg. No. 150.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1787 and Gov. Msg. No. 150 was deferred until Tuesday, April 27, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1788) recommending that the Senate advise and consent to the nomination of TIMOTHY E. JOHNS as Chairperson, Board of Land and Natural Resources, in accordance with Gov. Msg. No. 155.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1788 and Gov. Msg. No. 155 was deferred until Tuesday, April 27, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1789) recommending that the Senate advise and consent to the nomination of RAYMOND H. SATO as Comptroller, in accordance with Gov. Msg. No. 143.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1789 and Gov. Msg. No. 143 was deferred until Tuesday, April 27, 1999.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1790) recommending that the Senate advise and consent to the nomination of PATRICK S. YAMADA to the Rental Housing Trust Fund Advisory Commission, in accordance with Gov. Msg. No. 194.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1790 and Gov. Msg. No. 194 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1791) recommending that the Senate advise and consent to the nominations of JACQUELINE K. MURAI and GERONIMO VALDRIZ to the Defender Council, in accordance with Gov. Msg. No. 235.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1791 and Gov. Msg. No. 235 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1792) recommending that the Senate advise and consent to the nomination of HERMAN T. ANDAYA, JR., to the Board of Registration, Island of Oahu, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1792 and Gov. Msg. No. 242 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1793) recommending that the Senate advise and consent to the nomination of CATHY AKEMI SHIM to the Board of Registration, Kauai and Niihau, in accordance with Gov. Msg. No. 243.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1793 and Gov. Msg. No. 243 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1794) recommending that the Senate advise and consent to the

nomination of ALFRED B. CASTILLO, JR., to the Defender Council, in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1794 and Gov. Msg. No. 289 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1795) recommending that the Senate advise and consent to the nomination of MARY JUANITA TIWANAK to the Hawai'i Paroling Authority, in accordance with Gov. Msg. No. 295.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1795 and Gov. Msg. No. 295 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1796) recommending that the Senate advise and consent to the nomination of THEODORE I. SAKAI as Director of Public Safety, in accordance with Gov. Msg. No. 156.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1796 and Gov. Msg. No. 156 was deferred until Tuesday, April 27, 1999.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1797) recommending that the Senate consent to the nomination of JOHN S.W. LIM to the office of Associate Judge, Intermediate Appellate Court, 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. 265.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1797 and Gov. Msg. No. 265 was deferred until Tuesday, April 27, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1745 (Gov. Msg. No. 151):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1745 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of BRUCE S. ANDERSON, Ph.D., as Director of Health, term to expire December 2, 2002, seconded by Senator Iwase.

Senator Chun Oakland rose to support the nominee as follows:

"Mr. President, I would like to speak in support of Gov. Msg. No. 151.

"Dr. Bruce Anderson, I believe is an excellent candidate to serve as Director of the Department of Health. He received a Bachelor of Arts degree from Colorado College, a Master of Public Health degree from Yale University, and a Doctor of Philosophy degree in biomedical sciences from the University of Hawaii.

"For the past 11 years, Dr. Anderson has served as Deputy Director for Environmental Health in the Health Department, during which time he worked diligently to create public/private community partnerships to help the Department focus its limited resources on the most pressing environmental problems of this State. As a steward of the State's environmental health issues, Dr. Anderson has shown much creativity and determination in crafting state programs to meet the unique needs of Hawaii. Efforts such as the formation of the

Environmental Management Advisory Group, an advisory committee of community stakeholders and the Ala Wai Canal Watershed Improvement Project, a federally funded effort, demonstrate some of the ways in which Dr. Anderson advanced the Department of Health's mandate of protecting public health in this State.

"Testimony in support of this nominee was submitted by the Community Health Nursing Division of the Department of Health, Commission on Water Resource Management of the Department of Land and Natural Resources, United States Environmental Protection Agency Region 9 Office, Hawaii Health Systems Corporation, Waikiki Health Center, Puna Geothermal Venture, American Academy of Pediatrics, Chamber of Commerce of Hawaii, Hawaii State Primary Care Association, Hawaii Neuropsychology Community Research Bureau, Kona-Kohala Chamber of Commerce, Hawaii Public Health Association, NAMI Oahu, Hawaii Association of Environmental and Recycling Companies, Hawaii Nurses' Association, Hawaii Agricultural Research Center, Hawaii Dietetic Association, Kauai Paramedics Association, Kaiser Permanente, Hawaii Leeward Planning Conference, Hawaii Island Geothermal Alliance, Hawaii Hotel Association, and many others . . . Hawaii Medical Association. The list is quite extensive.

"Dr. Anderson articulated to your committee that he aims to establish his department as a national trendsetter when it comes to policies, programs and services by creating new partnerships with or expanding existing ones in the community and maximizing all financial resources within the department, as well as to streamline and reassess efforts started either by himself or his predecessors.

"Although he recognizes that the fate of the department depends heavily on the state's economy, he does say he is extremely dedicated to meeting the needs of the public with the level of resources allocated. Dr. Anderson reiterated that within the constraints of budgetary appropriations, the department should do all it can to address the problem of smoking and drug abuse in the teen-age population, focus on providing early intervention services for those families at risk for incidences of child abuse and domestic violence, develop more options for long-term care, preserve our state's environmental resources, promote the fitness sports recreation, good nutrition and other healthy activities in our state and around the world, create opportunities for the development of new health technologies and processes in Hawaii, and address some of the under-served populations in our state, such as children needing mental health services and those individuals with developmental disabilities who desire to live in their home or in the community.

"I really, truly believe that Dr. Anderson will be an asset to the administration and with his dedication over these many years to public service, I strongly urge 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 (Fukunaga, D. Ige, Levin).

Stand. Com. Rep. No. 1746 (Gov. Msg. No. 153):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1746 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of SUSAN MEYERS CHANDLER, Ph.D., as Director of Human Services, term to expire December 2, 2002, seconded by Senator Fukunaga.

Senator Chun Oakland rose in support of the nominee and said:

"Mr. President, I also speak in favor of this nominee on Gov. Msg. No. 153.

"I believe Dr. Susan Chandler is eminently qualified to lead the Department of Human Services in meeting its legal mandates as well as its stated missions in the years to come. I am confident, based on her tireless work these past four years, that we will continue to see improvements in the area of human services.

"Dr. Chandler has extensive expertise and a highly regarded reputation in her field and has demonstrated immense dedication to public service. She received a Bachelor of Science degree from Cornell University, a Master of Social Work degree from the University of Hawaii, and a Doctor of Philosophy degree in social welfare from the University of California at Berkeley.

"For the past four years, Dr. Chandler has served in arguably one of the toughest positions in this State, that of Director of Human Services. During her tenure as director she constantly looked for creative and innovative approaches that allow the Department of Human Services to accomplish its mission of protecting and helping those least able to care for themselves in a climate of declining state revenues and government right-sizing. In her efforts to develop a more efficient department that serves the public more effectively, she involved all levels of staff, private non-profit organizations, the public, and other governmental agencies.

"Testimony in support of this nominee included a number of different employees and managers of the Department of Human Services, the Office of Youth Services, Housing Community Development Corporation of Hawaii, Children's Advocacy Centers of Hawaii, Healthcare Association of Hawaii, Aloha State Association of the Deaf, State Rehabilitation Advisory Council for the Deaf and Hard-of-Hearing, Good Beginnings Alliance, Mental Health Association in Hawaii, Salvation Army Family Treatment Services, Waikiki Health Center, Hawaii Center for Independent Living, Kamaaina Kids, NAMI Oahu, Adoption Connection, Communities in Schools - Hawaii, National Association of Social Workers, Hawaii State Primary Care Association, American Academy of Pediatrics, Hawaii Medical Association, Comprehensive Evaluation of Hawaii's Healthy Start Program, American Friends Service Committee, Goodwill Industries, Family Support Services of West Hawaii, Domestic Violence Clearinghouse and Legal Hotline, Hawaii Long Term Care Association, Child and Family Service, Hawaii Nurses' Association, and many individuals.

"Dr. Chandler has been able, within the four year period, to accomplish much with the assistance of the community as well as the Legislature. I wanted to reiterate some of these accomplishments.

"The Department of Human Services implemented the electronic benefit transfer system statewide on August 1, 1998, which replaced the old food stamp distribution system. Hawaii completed this ahead of federal mandate and plans to use this system for all cash payments. Hawaii ranks second in the nation for food stamp accuracy and received a \$1.8 million bonus from the federal government last year and many years prior to that, as well.

"The Department of Human Services also received approval of its welfare reform program from the federal government and put it into place via pursuit of new opportunities program in December 1996. Our data shows that more people are employed, earned income and the number of hours worked have increased substantially among people on welfare.

"The Department of Human Services has instituted two new programs to assist welfare recipients to find work. One is the

Transitional Opportunity Program and the Work-Plus Program, which has assisted hundreds of welfare recipients. The Grant-Plus Program is scheduled to begin July 1, 1999 as an incentive for non-profit organizations to hire welfare recipients.

"In fiscal year 1998, this is the fourth year of MedQuest as a demonstration project. The per capita cost, per member, per month is now \$148.08. The per capita cost without QUEST, if we hadn't implemented it and without the support of the administration, would have been \$198, average, for a fee for service program. Thirty-six percent more coverage has been provided in the first four years of QUEST than would have been provided by the temporary assistance to needy families, the state health insurance program and general assistance program combined.

"All of the home and community base waiver programs have significantly expanded their services to serve more people. These waivers include the nursing homes without walls, the residential alternatives community care, developmentally disabled and mentally retarded home and community based services, the program for all-inclusive care and HIV/AIDS community care programs. Institutionalization as a result of her efforts and those of the community and her staff basically provided the prevention or the delay of 1,435 frail elders and disabled adults through chore services, adult day care programs, adult foster care programs, as well as the 1,607 people with the waiver program.

"The Department has also adopted seven outcome statements that are being used to assess the effectiveness of child welfare programs, and I know this particular area has been in the media and has been of great concern to all of us. The child welfare services program has continued to make significant progress in its efforts to protect children from harm and neglect. New state and federal legislation, which we have been involved in these past few years, has made child protection paramount in every decision. Various new initiatives have been implemented, statewide.

"The vocational rehabilitation and services for the Blind Division served 5,627 citizens with disabilities in this state and this is also part of the Department -- 82 percent were competitively employed at the closure of their case; 95 percent of those who were working increased their earnings at the case closure, basically allowing more people to be empowered to be able to live independently.

"Dr. Chandler articulated to your committee that she also aims to establish her department as a national leader and trendsetter when it comes to policies relating to human services. Although she recognizes that the fate of her department depends heavily on the State of Hawaii's economy, she says that she is extremely dedicated to meeting the needs of the public with the level of resources allocated.

"Specifically, in regards to the child protective services area, as chair of the Human Services both in the House as well as now in the Senate, it has been a pleasure to be working with the Department, in general, with regards to the area of child protective services. In the four years that Dr. Chandler has served, she has been personally involved in many of our child protective service roundtable discussions and has actually created opportunities that we had talked about prior to her becoming a director and making it a reality in order that we have better trained personnel within the Department of Human Services, have better opportunities to support the social workers who are doing a tremendous job in this area, also to create more funding opportunities using federal dollars that have become available to various states, including Hawaii, in the recent years. They have actually developed a risk assessment matrix which I think will be more systematic in assessing the child abuse cases that are brought to the attention of the Department. And I believe, overall, her accessibility in many of these issues has been a welcome by this chair.

"I believe that there are a number of concerns that, together, the Legislature, the Department, the Judiciary, the Department of Health, the Police Departments, and many others -- parents, the children involved, advocates, nonprofit organizations -- need to work on. I look forward to this body also providing unanimous support to this nominee.

"Thank you."

Senator Iwase rose to oppose the nomination as follows:

"Mr. President, I'm rising to speak in opposition to the nomination.

"Mr. President, I do so with great reluctance, having met Dr. Chandler. She's a very fine lady with a good heart.

"In his Federalist Papers, James Madison wrote: 'The appointment of public officials, under the doctrine of separation of powers, is an Executive function.' And because of that, I believe that a chief executive should have broad discretion when he or she appoints a public official, a cabinet member, and that nominee should be rejected only for compelling reasons. And I believe those compelling reasons exist today.

"Mr. President, the Department of Human Services is the lead agency for establishing, extending and strengthening services for the protection and care of neglected children. Under the Child Protective Act, Chapter 587, DHS is responsible for investigating reported cases of abuse and neglect, assuming temporary foster custody of children, and petitioning the Family Court for child protective cases. The Department has 230 social workers (I'm reading from the Auditor's Report), 110 social service assistants and family service assistants, with a median case load of 18 -- far less than several years ago when there was an overwhelming amount of cases for the worker -- 18.

"In January 1999, the Legislative Auditor issued her report, 99-5, on the Child Protective Services System. The audit documents the disappointing failure -- failure -- of the system's management in protecting Hawaii's children, and I'd like to read some brief excerpts from the report:

'We found that DHS has not ensured that all child abuse and neglect reports are investigated when appropriate. Supervisory review at key decision-making points has been insufficient and staff have failed to follow established procedures to assess the risk of harm when receiving and investigating reports of suspected abuse and neglect.

'We reviewed 112 cases statewide that were not referred to investigation and were unable to confirm DHS' supervisory review for 88 percent of these cases. Statewide, supervisory review was documented in only 5 percent of the investigated dispositions we reviewed. In a sample of written reports made by individuals who are legally mandated to report suspected abuse and neglect, we found that 13 percent of these reports were not identified' -- not identified -- 'on the DHS intake logs and in the Child Protective Services System. . . .

'Nearly half of the child abuse and neglect cases reported statewide during June 1998 were not registered in the CPSS. . . . In a one-month period that we reviewed, DHS failed to refer' -- failed to refer -- 'to the county police about 40 percent of the reports of child sexual assault that it received. . . .

'DHS has also been remiss in its obligation to seek Family Court jurisdiction when required.'

"Mr. President, the audit was performed from June 1998 to January 1999, and since the audit, DHS has taken steps to implement changes. And I thank Dr. Chandler for meeting with me and I am pleased that she is pursuing these much needed

reforms. However, these serious, grievous, and documented deficiencies in management should have been addressed and eliminated earlier. It should not have been prompted, nor accelerated, by an audit.

"Over the past year-and-a-half, we have witnessed horrific cases of child abuse that break your heart -- Peter Boy Kema, Reubyn Buentipo, the Pada case are but a few. And while no system is perfect and no perfect system will ever prevent all cases of child abuse, it is DHS's responsibility to provide the best system possible. The Auditor's report establishes that we fell far short of that duty and obligation. And when the State fails in that duty, the children of this State -- who most need our protection -- are harmed and suffer.

"As adults, when children are involved, we must expect and we must demand more of ourselves in our performance, and this did not happen with Child Protective Services -- management failed. And for this reason, Mr. President, I will be -- for the first time in my political career -- casting a 'no' vote on a nominee to the cabinet.

"Thank you."

Senator Chun then rose in support of the nominee and said:

"Mr. President, I rise in favor of the nominee.

"Mr. President, I have some of the same concerns as the Honorable Senator from Mililani. And also, Mr. President, I've had many phone calls asking me to vote against the nominee. But Mr. President, I feel that it was my duty also, like the Senator from Mililani, to go down and look into more details, because while it is important that we get public input and public sentiment in terms of the nomination for the department head, we need to go beyond that and to find out how good of a job the person is doing as a manager. And despite what public sentiment is going to be, we owe that not only to the public, but also to the person, to go down and to find out more details and not make nominations a point of public popularity or unpopularity.

"Mr. President, I had the opportunity to sit down with Ms. Chandler and discuss some of my concerns and the concerns of the people who called me, specifically in regard to child welfare. I specifically asked her a question: What steps have been taken to assure that as a manager, the employees under her believe and will follow through on some of the important policies and procedures that are in place to protect the children? I asked her what kind of consequences she has implemented, both positive and negative, to ensure that the employees of her department and those divisions working with children know how severe and important it is to follow those procedures, and most of all, to be concerned not with procedures, but with the welfare of the children.

"I sat down and talked with her heart to heart in terms of what efforts she has taken, and what some of her frustrations have been about working within the system. And I've come away from that conversation with the feeling that she genuinely believes that she can do a good job. I've come away with a feeling that she genuinely believes and wants to help the children and she will not stand to have people and procedures stand in the way of a child's welfare. I've come away from that conversation that she will and can be a good director for the State.

"So Mr. President, based upon my conversation with her, based upon my looking at not only the Auditor's report but some of the progress that has been made since then, I believe that Ms. Chandler will go forward and follow through with some of the commitments that she has made for the benefit of the children. So I ask all my colleagues to support the nomination."

Senator Slom rose to speak against the nominee and said:

"Mr. President, I rise to speak in opposition to the nomination.

"I, too, had an opportunity to meet with and discuss issues with Dr. Chandler and I appreciate that. But I also had an opportunity to talk to employees, confidentially, within the Department, and many of those employees give a very different perspective as to what has happened, what is happening, and what they believe will happen in the future. And many of them were extremely concerned and they are very disheartened about the things that have happened and fallen through the cracks.

"The Senator from Mililani mentioned the Auditor's report, but actually there were three Auditor's reports, starting with December 1997, the Management Audit of the Department of Human Services; in April of last year, the Audit of the Implementation of the Child Support Enforcement Agency's Information System; and then finally, the Audit of the Child Protective Services System. In each and every one of these reports there were glaring inefficiencies and management problems, and they have not been corrected.

"While it is true that steps are now being taken, the question is, How long must we wait? And how many more people are going to have to suffer? The committee report that reviewed the nomination said, quote 'there have been small signs of improvement in the Child Protective Services system (CPS) over the last two years, and notes that improvements are ongoing.' But it 'still requires serious attention.' The committee report went on to say, 'Your Committee does not believe that Dr. Chandler should be faulted for any individual tragedy.' And I would subscribe to that, Mr. President, except for the fact that we're not talking about fault as much as we are talking about accountability and responsibility.

"Throughout my lifetime in my career I've held a number of different positions -- first, as an employee. And as an employee, I had responsibilities, particularly if I had supervisory or managerial responsibilities. And if I didn't get the job done, the job that was expected of me, if there were mistakes everybody said, 'Well, he's really trying; he's got a good heart; he's a good soul; but he didn't do it -- see you.' Because the objective is to get the job done and protect the people that you're supposed to protect.

"As an employer with employees, I strive for the best and encourage my employees, but they have to take responsibility. And if the don't do the job, as painful as it is, they must be replaced in order that your objectives are fulfilled and that the trust people place in you is well placed.

"In a previous life I was a professor and a teacher, called upon to grade students of all ages and all backgrounds, and it's tough grading people. However, if you're going to be a good professor or good teacher you don't grade them on what they could do, what their potential is, what they might do, what they feel, what they say or how concerned they are. You must grade them on what they have done -- either their accomplishments or lack thereof.

"And finally, Mr. President, as a Legislator, I, among my colleagues, must look at the people and the issues, the bills that we vote for. And we must be content in our own minds that we have done the very best job not only in researching and talking to people and listening to all points of view, but taking the responsibility and accountability for ourselves, because that, after all, is the bottom line. It is our responsibility.

"In our State, next to our State motto seems to be our assistant motto: It's not my fault; it's not me; it's the Legislature; it's the system; it's the budget; it's this; it's that. Somebody has to stand up and say, 'Yeah, it is me.' In small business we have to do that all the time because it's my name up there on the marquee. I can't blame it on lack of staff or inconsideration or lack of budget or anything else. And I think

that we have to hold people just as accountable, particularly when we approve them, because when we approve them, we are saying we approve what they do or what they have not done.

"Far too often we grow attachments to individuals. And the people that we are giving the taxpayers' money to, and the taxpayers' trust, we kind of forget a little about the taxpayers and about the people outside and the attachment is for the political appointee. I saw the tears, and the sensitivity and the hugging for the political appointee. But where are the tears and the hugging and the sensitivity for Reubyne and Peter Boy and Cedra and the others? We have to get our priorities straight. We have to know who we're responsible for. When we're talking about child protection, we must protect the children! And we're not doing it! It's pure and simple.

"And when the department is called the Department of Human Services, it may be good to talk about how many food stamps we've processed, how much money we've saved, how many opportunities we've created. But if it's human services, then we have to provide that, first and foremost, and not think that we can do a better job; we have to do the better job. And that is what we should grade, and that is what we should vote upon, and I call upon my colleagues to search their consciences and to reject this nomination today.

"Thank you, Mr. President."

Senator Tam rose to speak with reservations on the nominee and said:

"Mr. President, I stand before you to vote with reservations on the appointee.

"This is not an easy task to do so, but I look upon it in terms of my confirmation vote as one of looking at management capabilities. As many of you know, now that I have the responsibility as the chairman for Government Operations and Housing, I have outlined in terms of what we expect out of our managers of the administration, and it's basically to establish goals and objectives and an action plan. For you see, out there in the real world, if one does not have that, one is not a manager.

"But I also realize that the nominee, Susan Chandler, is a very nice person and also I'm impressed with her academic background. And she has done some things which I appreciate, very much so, and she's taken care of our social problems. But what comes to my mind now is basically the frustrations of the public. One in particular that comes to mind at this time is that she refuses to monitor the group living facilities throughout the whole State of Hawaii. I have group living facilities within my community. I'm concerned about the safety and health of these people or residents, who essentially are adults. When I found out that Dr. Chandler refused to monitor these facilities for the sake of the residents living there and the rest of the community, I was quite concerned.

"I remember when I was in the House of Representatives in the days when the issue was child abuse. And what did we have to do in the Legislature? We reacted. We created laws. But the question is, Why do we have to do that? Why doesn't the administration, whatever administration it is, take hold of preventive measurements? Do we always have to be reactionary? It seems like that's what we doing constantly, year after year.

"A good manager takes care of the day-to-day operations and alleviates the burden out there in society. So I'm very concerned in this case of our group-living facilities.

"I wish to have much clearer directions for the Department of Human Services, but I'm willing to work with the Director in resolving these issues this year. We have before us some legislation and I hope that she will change her mind and agree

to work together, rather than objecting to the legislation before us.

"Again, it's quite frustrating when administrators refuse to address the problem before the problem occurs. We are all prone to reactions and I don't want to be emotional about this reaction whereby out there in the community, after incidents occur then we have to react. We should be preventive. Preventive in nature is good for all society.

"Thank you."

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Levin rose to support the nominee as follows:

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

"Mr. President, it's been noted by my worthy colleague that these child abuse cases, which seem to be the focus of much of this discussion, break hearts. There's no doubt about it, they break all our hearts. And there is also no doubt that they break the heart of Dr. Chandler every time a case like this comes up.

"A vote against Dr. Chandler would be a vote that denies the State the services of a dedicated, effective public servant. And for that reason, I think such a vote would be a mistake. I urge all my colleagues to vote 'aye.'"

Senator Anderson rose to oppose the nomination and said:

"Mr. President, I'll be speaking against the nominee.

"I agree she's a very nice person. However, I listened to my colleague that read the reports from the Auditor. When the Majority Floor Leader says that we are not supposed to listen to all of the people, I don't think that's quite true. This is one of the few times that my fax machines have gone crazy, telling me why people are opposed to having the person nominated or renominated. The people have all kinds of concerns.

"I personally, from one of my constituents, had a letter on fraud -- absolutely bona fide, documented -- and the only thing that the Department of Human Services told me at first was the caseload person who handled it said there was no problem; then he or she said they were short of staff. It took over a year to take care and remedy that problem. That's not fair to what we're trying to do here.

"I have no animosity against the person and I didn't even plan on speaking. But it bothers me when people have reservations or say, 'I talked to them and they're going to be good administrators from here on in.' I'm not sure what happens when you have an administrator who says, can you handle this. I don't really know if there's follow-up. I don't know if they really do ask people to handle a lot of these things that go on in the different departments. We're not privileged with this kind of information. The Auditor says that it doesn't happen; I rely on the Auditor's in depth analysis.

"And for these reasons and on behalf of all of the different people that have told me, mostly from the neighboring islands, their concerns on what is not happening, I will be voting 'no,' Mr. President.

"Thank you very much."

Senator Nakata rose to support the nominee as follows:

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

"The task that she has been performing and is performing and I hope will continue to perform is a very difficult one. It involves working with some of the most delicate human relations problems that we encounter. I have no reason to doubt

her heart and her caring for those who are in her charge. And in working with fragile human beings, judgment calls have to be made by her and by her staff.

"From what I know of her, I have no doubt that she wishes the best for all who are in her charge. Certainly, mistakes get made, but I think with this person, we need to give her the benefit of the doubt. I shouldn't even be saying that. I fully support this nominee. There have been times when we have differed. She did, I think, a good job on welfare reform. I didn't agree with everything that came out.

"I'm personally acquainted with a family situation where I did not agree with her actions, but I still fully support this nominee.

"Thank you."

Senator Inouye then added her remarks in support as follows:

"Mr. President, I'll be speaking in support of the nominee.

"As reflected by the words of my colleague, the Senator of Puna and South Kona, I would like the Journal to reflect those comments as if they were my own, please, Mr. President."

Senator Matsuura then rose with reservations and said:

"Mr. President, I rise with reservations.

"I commend her on what she has done on the welfare service over the past years, but I plead with her to use the same vigor that she has done with the welfare system to pursue helping the Child Protective Service.

"I will be voting with reservations. Thank you."

Senator Kawamoto also rose to speak with reservations on the nominee and said:

"Mr. President, I rise with reservations.

"Mr. President, five years ago when we went into MedQuest, the concept was low cost, more coverage. Ever since we had MedQuest, every year we have an emergency between \$31 million to \$42 million this year. And every year, I think we have increased or not touched the Human Services budget and I don't know how our co-chairs of Ways and Means can manage the budget with continuous requests for emergency funds. In this case, I hope this reservation would have her look at the budget and ensure that we've seen the last of emergency funds for this department.

"Thank you."

Senator Bunda requested his vote be cast "aye, with reservations," and the Chair so ordered.

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

Ayes, 19. Noes, 6 (Anderson, Buen, M. Ige, Iwase, Slom, Tanaka). Excused, none.

At this time, Senator Chun Oakland introduced Dr. Anderson and Dr. Chandler who were seated in the gallery with their supporters.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 14, from the Hawaii Health Systems Corporation dated April 21, 1999, transmitting a report pursuant to Act 338, SLH 1997, relating to the Program of All Inclusive Care for the Elderly (PACE), was read by the Clerk and was placed on file.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 737, S.D. 2 (H.D. 1):

Senator Nakata moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 737, S.D. 2, seconded by Senator M. Ige and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 737, S.D. 2, seconded by Senator M. Ige.

Senator Nakata explained:

"Senate Bill No. 737, S.D. 2, H.D. 1, creates a notification process for noise on small projects to replace the permit process that is now in place. The House version makes it clear that the Department of Health can charge a fee for the notification and excludes Sundays and holidays from the exemption."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 737, S.D. 2, and S.B. No. 737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was placed on the calendar for Final Reading on Tuesday, April 27, 1999.

S.B. No. 738, S.D. 1 (H.D. 1):

Senator Nakata moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 738, S.D. 1, seconded by Senator M. Ige and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 738, S.D. 1, seconded by Senator M. Ige.

Senator Nakata noted:

"Senate Bill No. 738, S.D. 1, H.D. 1, also relating to noise, shortens the permitting process from 180 days to 30 days. The House has made technical and nonsubstantive amendments. 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. 738, S.D. 1, and S.B. No. 738, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," was placed on the calendar for Final Reading on Tuesday, April 27, 1999.

At 12:32 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 Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for Gov. Msg. Nos. 146, 157, 316, 317, 319 and 344, and the Chair granted the waiver.

Senator Levin rose on a point of personal privilege as follows:

"May I be permitted to rise on a point of personal privilege?"

"I wanted to state publicly my regret that I was unable to be here to vote 'aye' on Dr. Bruce Anderson's nomination as Director of Health. I very much enjoyed working with him in my years as chair of the Health Committee in the Senate when he was a deputy director, and I have since enjoyed working with him in his capacity as Director of Health since his appointment.

"I think he's doing a fine job, and I certainly would have supported his nomination had I been on the floor. Thank you."

Senator M. Ige rose on a point of information as follows:

"Mr. President, I rise on a point of information. I guess it's a point of information for the co-chair of Ways and Means.

"On that governor's message, who is on that message and what time is the meeting? Thank you."

Senator Fukunaga replied:

"The governor's messages that were part of the confirmation hearing held on Friday included two nominees for cabinet positions as well as a number of nominees for the Board of Taxation. We will be distributing the hearing notice later on this afternoon."

Senator M. Ige inquired:

"Mr. President, the answer is Mr. Anzai and Mr. Kamikawa. Is that correct?"

Senator Fukunaga responded:

"As well as all other candidates for the Board of Taxation."

Senator M. Ige further inquired:

"Okay. My second question would be, What time?"

Senator Fukunaga stated:

"We are tentatively planning on a regular 9:00 a.m. time. However, we will be submitting the hearing notice to the Clerk's Office shortly."

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

APPOINTMENT AND DISCHARGE OF CONFEREES

H.B. No. 1663, H.D. 2 (S.D. 2):

The President discharged Senator D. Ige as a co-chairman and Senators Kanno, Taniguchi and Slom as managers, and appointed Senator Fukunaga as a co-chairman and Senators Chumbley, Chun, D. Ige, Nakata and Anderson as managers on the part of the Senate at the conference to be held for the consideration of the amendments proposed by the Senate to H.B. No. 1663, H.D. 2.

ADJOURNMENT

At 12:38 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., Tuesday, April 27, 1999.

FIFTY-SIXTH DAY

Tuesday, April 27, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Woodrow Yasuhara, District Superintendent of the Hawaii Assemblies of God, 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 Fifty-Fifth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 349 and 350) were read by the Clerk and were placed on file:

Gov. Msg. No. 349, informing the Senate that on April 23, 1999, he signed the following bills into law:

House Bill No. 50 as Act 30, entitled: "RELATING TO TEMPORARY DISABILITY INSURANCE";

House Bill No. 250 as Act 31, entitled: "RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII";

House Bill No. 979 as Act 32, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 983 as Act 33, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION";

Senate Bill No. 1051 as Act 34, entitled: "RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS";

Senate Bill No. 1080 as Act 35, entitled: "RELATING TO PLANNING AND COMMUNITY DEVELOPMENT"; and

Senate Bill No. 1460 as Act 36, entitled: "RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF."

Gov. Msg. No. 350, dated April 26, 1999, transmitting his statement of objections to Senate Bill No. 1280 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 23, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1280

Honorable Members
Twentieth 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. 1280, entitled 'A Bill for an Act Relating to Motor Carriers.'

This bill is identical to House Bill No. 1034, which was passed by the legislature and transmitted to me on April 7, 1999. Since I intend to approve House Bill No. 1034, there is no need to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 1280 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 34, from the State Auditor dated April 26, 1999, transmitting a report, "Study of the Fiscal Impact of Providing Certain Benefits to Reciprocal Beneficiaries," (Report No. 99-17), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 687 to 731) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 687, returning S.C.R. No. 4, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, 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.C.R. No. 4, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 688, returning S.C.R. No. 33, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, 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.C.R. No. 33, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 689, returning S.C.R. No. 64, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, 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.C.R. No. 64, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 690, returning S.C.R. No. 77, which was adopted by the House of Representatives on April 26, 1999, 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.C.R. No. 77 and requested a conference on the subject matter thereof.

Hse. Com. No. 691, returning S.C.R. No. 91, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, 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.C.R. No. 91, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 692, returning S.C.R. No. 130, which was adopted by the House of Representatives on April 26, 1999, in an amended form, was placed on file.

Hse. Com. No. 721, returning S.C.R. No. 152, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 722, returning S.C.R. No. 188, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 723, returning S.C.R. No. 195, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 724, returning S.C.R. No. 201, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 725, returning S.C.R. No. 202, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 726, returning S.C.R. No. 210, S.D. 2, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 727, returning S.C.R. No. 219, S.D. 1, which was adopted by the House of Representatives on April 26, 1999, was placed on file.

Hse. Com. No. 728, informing the Senate that the Speaker on April 26, 1999, re-referred the following bills, therefore changing the order of the co-chairman to Representatives Ito, Yoshinaga, Catalani on the following bills:

H.B. No. 522, H.D. 3 (S.D. 2); and
S.B. No. 1475, S.D. 1 (H.D. 2),

was placed on file.

Hse. Com. No. 729, informing the Senate that the Speaker on April 26, 1999, made the following changes in House conferec assignments to the following bills:

H.B. No. 377, H.D. 2 (S.D. 2):

Representative Luke replaces Representative Herkes as co-chairman;

H.B. No. 1683, H.D. 2 (S.D. 2):

Representative Luke replaces Representative Herkes as co-chairman;

S.B. No. 676, S.D. 1 (H.D. 2):

Representative Menor appointed as an additional co-chairman,

S.B. No. 1583, S.D. 2 (H.D. 2):

Representative Luke replaces Representative Herkes as co-chairman; and

was placed on file.

Hse. Com. No. 730, informing the Senate that the Speaker on April 26, 1999, appointed Representative Menor as an additional co-chairman on the part of the House at the conference on H.B. No. 11, H.D. 1, S.D. 1, was placed on file.

Hse. Com. No. 731, informing the Senate that the Speaker on April 26, 1999, discharged Representatives Ito, Menor, P. Oshiro and Takamine as co-chairmen and Representative McDermott as a manager; and appointed Representatives Yoshinaga and Yamane as co-chairmen and Representatives Arakaki, Kanoho, Nakasone, Leong and Marumoto as managers

on the part of the House at the conference on H.B. No. 1663, H.D. 2, S.D. 2, was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 560, S.D. 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 560, 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. 1 and S.B. No. 560, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1321, S.D. 2, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 1321, 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. 2 and S.B. No. 1321, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1798) recommending that H.C.R. No. 14, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 14, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING EFFECTIVE PAIN MANAGEMENT PROGRAMS BE REQUIRED IN ALL HEALTHCARE INSTITUTIONS," was adopted.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a joint report (Stand. Com. Rep. No. 1799) recommending that H.C.R. No. 79 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was adopted.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1800) recommending that H.C.R. No. 76, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 76, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COLLABORATIVE PARTNERSHIP TO INCREASE THE NUMBER OF CHILDREN WHO HAVE AN OPPORTUNITY TO EAT A NUTRITIOUS BREAKFAST IN THE PUBLIC AND PRIVATE SCHOOLS, PRE-SCHOOLS, AND GROUP CARE," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1801) recommending that H.C.R. No. 7, H.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. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO RESTRUCTURE THE DEPARTMENT OF EDUCATION TO ENSURE ACCOUNTABILITY AT ALL LEVELS," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1802) recommending that H.C.R. No. 18, H.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. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPAND FAMILY AND PARENTING CLASSES TRAINING AND GUIDANCE FOR HIGH SCHOOL STUDENTS," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1803) recommending that H.C.R. No. 208, H.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. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR THE MILLENNIUM PROJECT," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1804) recommending that S.R. No. 78 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. 78, entitled: "SENATE RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST," 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. 1805) recommending that the Senate advise and consent to the nomination of MARGERY S. BRONSTER as Attorney General, in accordance with Gov. Msg. No. 145.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1805 and Gov. Msg. No. 145 was deferred until Wednesday, April 28, 1999.

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.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1747 (Gov. Msg. No. 241):

Senator D. Ige moved that Stand. Com. Rep. No. 1747 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of BERT A. KOBAYASHI to the Board of Regents, University of Hawai'i, term to expire June 30, 2003, seconded by Senator Sakamoto.

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

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Bunda, Fukunaga, Levin).

Senator D. Ige then moved that the Senate advise and consent to the nominations of AH QUON MCEL RATH, CHARLES NAINOA THOMPSON, ALLAN K. IKAWA and SHARON R. WEINER to the Board of Regents, University of Hawai'i, terms to expire June 30, 2003, seconded by Senator Sakamoto.

Senator Tam rose to speak with reservations as follows:

"Mr. President, I wish to register my vote 'with reservations' on Sharon Weiner. 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 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1748 (Gov. Msg. No. 245):

Senator D. Ige moved that Stand. Com. Rep. No. 1748 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of CHRISTOPHER T. KOBAYASHI to the Board of Directors, Research Corporation of the University of Hawai'i, term to expire June 30, 2003, seconded by Senator Sakamoto.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1749 (Gov. Msg. No. 182):

Senator D. Ige moved that Stand. Com. Rep. No. 1749 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of CHARLES M. FREEDMAN to the State Foundation on Culture and the Arts, term to expire June 30, 2002, seconded by Senator Sakamoto.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1750 (Gov. Msg. No. 263):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1750 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of MARILYN A. MATSUNAGA as State Administrator, State Health Planning and Development Agency, term to expire June 30, 2003, seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1751 (Gov. Msg. No. 276):

Senator Nakata moved that Stand. Com. Rep. No. 1751 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations to the Environmental Council of the following:

LANCE K. GILLILAND and PAULINE SATO, terms to expire June 30, 1999 and June 30, 2003; and

PHILIP K. OTA, STEVEN S.C. LIM, CHARLES A. PRENTISS, Ph.D., and MICHAEL A. FAYE, terms to expire June 30, 2003,

seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1752 (Gov. Msg. No. 322):

Senator Nakata moved that Stand. Com. Rep. No. 1752 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of RICHARD H. COX to the Board of Certification of Operating Personnel in Water Treatment Plants, term to expire June 30, 2003, seconded by Senator M. Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1779 (Gov. Msg. No. 191):

Senator Tam moved that Stand. Com. Rep. No. 1779 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Tam then moved that the Senate advise and consent to the nomination of ALLAN LOS BANOS, JR., to the Board of Directors, Housing and Community Development Corporation of Hawai'i, term to expire June 30, 2002, seconded by Senator Matsuura.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1780 (Gov. Msg. No. 310):

Senator Hanabusa moved that Stand. Com. Rep. No. 1780 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

ROBERT M. GRANGER, terms to expire June 30, 1999 and June 30, 2003; and

ROGERENE K.M. ARCE, term to expire June 30, 2003,

seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1781 (Gov. Msg. No. 259):

Senator Hanabusa moved that Stand. Com. Rep. No. 1781 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Kaho'olawe Island Reserve Commission of the following:

ISABELLA A. ABBOTT, Ph.D., term to expire June 30, 2000; and

GEORGINA K. KAWAMURA and BURT H. SAKATA, terms to expire June 30, 2003,

seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1782 (Gov. Msg. No. 321):

Senator Hanabusa moved that Stand. Com. Rep. No. 1782 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of BRIAN C. NISHIDA and HERBERT M. RICHARDS, JR., to the Commission on Water Resource Management, terms to expire June 30, 2003, seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1783 (Gov. Msg. No. 239):

Senator Hanabusa moved that Stand. Com. Rep. No. 1783 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Kaneohe Bay Regional Council of the following:

JOHN GOODY and FRANCIS I. SHIMANUKI, terms to expire June 30, 2000;

KELVIN K.F. CHING and DAVID HIGGINS, terms to expire June 30, 2001; and

KIM NICHOLAS HOLLAND, Ph.D., LYNN J. LEE and KURT K. MENCH, terms to expire June 30, 2002,

seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1784 (Gov. Msg. No. 307):

Senator Hanabusa moved that Stand. Com. Rep. No. 1784 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of LYNETTE P. TIFFANY and DUNCAN K. SETO to the Island Burial Council, Island of Oahu, terms to expire June 30, 2003, seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1785 (Gov. Msg. No. 306):

By unanimous consent, action on Stand. Com. Rep. No. 1785 and Gov. Msg. No. 306 was deferred until Wednesday, April 28, 1999.

Stand. Com. Rep. No. 1786 (Gov. Msg. No. 305):

Senator Hanabusa moved that Stand. Com. Rep. No. 1786 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of CHARLES K.H. YOUNG and KEIKIALOHA KEKIPI to the Island Burial Council, Island of Hawai'i, terms to expire June 30, 2003, seconded by Senator Tanaka.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1787 (Gov. Msg. No. 150):

Senator Hanabusa moved that Stand. Com. Rep. No. 1787 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RAYNARD C. SOON as Chairperson, Hawaiian Homes Commission, term to expire December 31, 2002, seconded by Senator Tanaka.

Senator Hanabusa rose in support of the nominee and said:

"Mr. President, I rise to speak in support of Mr. Soon's appointment.

"Mr. President and colleagues, I believe we are very fortunate to have someone of Mr. Soon's caliber, character and experience to stand before us as the Chairman for the Hawaii Homes Commission. Mr. Soon has had a myriad of experience with the Commission itself. From 1991 to the current time, he has served in the Commission. He is what we all want to see -- someone who actually knows how the institution, how the department operates, and basically works his way, not necessarily from the bottom, but through all of its different aspects so he can lead it as a leader that it does need.

"From 1991 to 1993, Mr. Soon served as the administrator of the Land Development Division. From 1993 to 1995, he served as the administrator for the Land Management Division. From

1996 to current, he has been the administrator for the Temporary Development Assistance Group.

"Mr. Soon is a local boy, being a 1967 graduate of Kalani High School. He received his Bachelor's of Fine Arts at the University of Hawaii, Manoa and in 1976 he received his Masters in City Planning at Harvard University. Mr. Soon served in both the public and private sectors prior to coming here, and now he is willing to take on the responsibility of the Department of Hawaiian Home Lands.

"As a personal note, one of the things that confirmed my support of Mr. Soon is when we heard the controversial elected Hawaiian Homes Commission bill. There was, of course, the institutional position on the topic, but Mr. Soon came before the committee, in a personal capacity, saying that, 'it was time.' He shed his cloak, or whatever you want to call it, as the acting administrator and took on the role as a Hawaiian and spoke for what he believed to be the betterment of the beneficial group. I think that takes a lot of courage, and as I stated earlier, I have gained a lot of respect for this gentleman.

"I ask that you vote in concurrence of his confirmation.

"Thank you very much."

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1788 (Gov. Msg. No. 155):

Senator Hanabusa moved that Stand. Com. Rep. No. 1788 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of TIMOTHY E. JOHNS as Chairperson, Board of Land and Natural Resources, term to expire December 31, 2002, seconded by Senator Tanaka.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I rise in support of Mr. Johns.

"Mr. President and members, Mr. Johns comes with such a diverse background. I first met him when he was the General Counsel for AmFac/JMB. At that time I was not aware that Mr. Johns had actually developed a reputation as an environmentalist, as the Director of Protection for the Nature Conservancy of Hawaii. Mr. Johns was a practicing attorney and had received his law degree from the University of Southern California.

"As we all know, Mr. Johns also served on the Water Commission. He's very familiar with water related issues. Think about what a unique bundle of talent plus experience that he brings -- an environmentalist, a real estate developer with AmFac/JMB, and water, as some people believe to be probably the most precious of our resources. And in Mr. Johns we have someone who understands all of this.

"What I'd like to share with you is a statement that Mr. Johns submitted to the Committee on Water, Land, and Hawaiian Affairs. When asked about what he wants to see for the Department, his responded as follows:

'I hope to inject a new entrepreneurial spirit into the Department's inner workings, empowering the staff and community while at the same time making them more accountable to the clients we serve and the natural resources we protect. I am confident that with the proper support and

with a fresh analysis of our functions, we can reinvent the way we operate and learn together how to do it better.'

"As a personal note, in watching the confirmation, Mr. Johns and his staff people who we have, of course, taken testimony from throughout this session, and we are at a point where you can tell when someone is testifying sincerely or just testifying. And I can honestly say that from watching them, they were all in very sincere support of Mr. Johns as their leader. And on a similar note, we had asked, as the Committee, for an audit. Mr. Johns with great concern asked that when we do this audit, it not be a witch hunt of his staff personnel because his staff personnel were doing an excellent job.

"And you know, it is that combination -- both the support of his rank and file and a leader such as him -- which I believe will take this Department to achieve those goals that Mr. Johns has set forth. So my colleagues, I ask that you join me in confirming Mr. Timothy Johns.

"Thank you very much."

Senator Inouye also rose in support of the nominee and said:

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

"Your Committee on Economic Development also had the opportunity to work with Tim Johns on bills that dealt with commercial fisheries and aquaculture, aquatic resources, ocean based recreation, forest recreation, recreational fisheries, park development and operation, and parks administration. He was always helpful and available in providing valuable information and was willing and able to work with the committee on issues that arose during our hearings.

"I am very impressed that he has demonstrated a willingness to work with various constituencies to ensure their concerns are addressed by the department's policies. And my staff and I also think he has a cute smile. (Laughter.) I can think of no one better suited to lead the Department of Land and Natural Resources and I urge all of my colleagues to vote on his nomination.

"Thank you."

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

"Mr. President, I rise in favor of this nominee.

"Mr. President, I worked with this nominee as AmFac/JMB's counsel. He, working with me for the community of Waipahu, was involved with the Waipahu Business Association, Waipahu 2000, Hans L'Orange Park. We may not have agreed all the time, but the bottom line was his interest of the Waipahu community and the goodness AmFac/JMB can provide. So I'd like to speak on behalf of Tim Johns and urge all my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Chun also rose to support the nominee and said:

"Mr. President, I rise in favor of the nominee.

"Mr. President, I rise in favor of the nominee not because he has a cute smile, but because unlike some of my other colleagues I have had an opportunity to work with Mr. Johns in an adversarial nature. Oftentimes when Mr. Johns was working for AmFac, his position or his company's position, did not always jive with the position of the County of Kauai who I represented. But through those times, Mr. President, I have always respected him because we were able to talk about our differences, and we were able to go beyond that in a method of cooperation and mutual trust. And I think that's what he brings to the Department. I look forward to working with him because

even though we might not agree on everything, we know that through Mr. Johns, and the department, we can work with him through our differences because there is a willingness to do that. There is a sense of cooperation and there is a sense of trust which he has clearly shown even though he has just been recently appointed to the Department. The Department has seen that in him a new energy, a new sense of going forward. And I look forward to working with him in our Committee on Water, Land, and Hawaiian Affairs.

"So for those reasons, Mr. President, I ask all my colleagues to support the nomination of Tim Johns."

Senator Matsuura requested a conflict ruling as follows:

"Mr. President, I would like to request a conflict ruling from the Chair. I am an employee and corporate officer of a company that has a contractual relationship with the Department of Land and Natural Resources."

The Chair ruled that Senator Matsuura was not in conflict.

Senator Matsuura then continued:

"Thank you very much. I also would like the Journal to reflect my strong support of Tim Johns for the new directorship of the DLNR."

Senator Buen then rose to support the nominee and said:

"Mr. President, I, too, wish to support Tim Johns in his nomination. Mr. Johns provides a fairness. He provides a balance and is able to handle tough issues.

"I asked Mr. Johns to fly over to Maui on a weekend to listen to the fishermen on Maui when they expressed their concerns over waters of Kahoolawe, and they were very concerned because the waters were closed off to them. Mr. Johns moved his schedule around and flew over to Maui to listen to these fishermen. And I think by listening to them he was aware of all the concerns that these fishermen had. He took the time out, moving his schedule around, and I know his boys were having a soccer game and he asked his wife to handle that arrangement in providing the transportation for them. Being the kind of person he is and by taking the time out and flying over and just by doing that, Mr. President, I feel that this person will do a good job and will be open to any kind of tough issues.

"Thank you, Mr. President. I will vote in favor and I ask my colleagues to do the same."

Senator Anderson rose in support and said:

"I might as well make it unanimous for the committee. I'm in favor but I had some notes and I think the chairman of Water, Land, and Hawaiian Affairs found them, so could her remarks be put in the Journal as though they were my own. Thank you very much. I'm in favor."

The Chair so ordered.

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

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

Stand. Com. Rep. No. 1789 (Gov. Msg. No. 143):

Senator Tam moved that Stand. Com. Rep. No. 1789 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Tam then moved that the Senate advise and consent to the nomination of RAYMOND H. SATO as Comptroller, term to expire December 2, 2002, seconded by Senator Matsuura.

Senator Tam rose in support of the nominee and said:

"Mr. President, fellow colleagues, I rise to speak in favor of Raymond H. Sato.

"As the chairman of the Senate Committee on Government Operations and Housing, our committee has reviewed the qualifications of Raymond Sato, his education, experience, and his commitment to public service and the people of Hawaii. We fully support the nomination of Mr. Raymond Sato as Comptroller of the Department of Accounting and General Services.

"Most important, as Senator of the Thirteenth District, Ray Sato represents the excellence of McKinley High School and the Thirteenth Senatorial District.

"Mr. Sato has the following qualifications:

- (1) He is detailed and technically oriented by education and profession with a Bachelor's of Science and Master's of Science in Civil Engineering degrees;
- (2) He is dedicated to public service, starting his career with the State of California, Department of Transportation, then coming home to serve his true love -- the 'people of Hawaii' and the County of Kauai, Department of Water;
- (3) He was groomed for his calling as comptroller in management as Chief of Operations, Deputy Manager, Manager and Chief Engineer with the Board of Water on Kauai. Eager for greater challenges and the politics of Honolulu, he then became Deputy Manager and Chief Engineer of the Board of Water Supply for the City and County of Honolulu, then its Manager;
- (4) He is ready and able and still a youngster to take on the responsibilities of leading the many functions of the Department of Accounting and General Services in providing quality government services;
- (5) He is personable and caring in his management style, guiding and supporting staff to utilize their skills. This is evident by the numerous testimonies received before our committee. Ray's integrity, professionalism, ethical responsibility and commitment makes him a highly valued steward of Hawaii's public resources.
- (6) He is a leader whose mission is to deliver improved quality government services, greater customer satisfaction within government and public sectors. Ray Sato's goals and objectives will bring a responsible focus to the Department of Accounting and General Services.

"Let's get on with the show and confirm Ray Sato.

"Thank you."

Senator Chun also rose to support the nominee and said:

"Mr. President, I rise in favor of the nominee.

"Mr. Sato is well known in the County of Kauai and also in the City and County of Honolulu as their Board of Water Supply director. I believe that Mr. Sato brings a unique perspective to state government and that is the understanding of the problems and concerns of local government and how the state can work cooperatively with both the state and the counties. I feel that with this knowledge and with his working experience we can go forward to work together to make a better future for all of us.

"So I strongly support the nomination of Mr. Sato and urge all my colleagues to do so also."

Senator Kawamoto rose to speak in support of the nominee and stated:

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

"Mr. President, as we ventured out to look at military construction and our desire to retain profit and wages in Hawaii, addressing the 15 percent preference, PLAs, and how we can work some of the bills that we have before this body, Mr. Sato got himself involved with us during the symposium and helped us put together some bills that we put forth to the Legislature to consider.

"So therefore, I'd like to thank Ray Sato for his efforts and urge my colleagues to vote 'aye' on this nominee.

"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 (Bunda).

At this time, Senator Tam introduced Comptroller Raymond Sato and his wife who were seated in the gallery.

Stand. Com. Rep. No. 1790 (Gov. Msg. No. 194):

Senator Tam moved that Stand. Com. Rep. No. 1790 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Tam then moved that the Senate advise and consent to the nomination of PATRICK S. YAMADA to the Rental Housing Trust Fund Advisory Commission, term to expire June 30, 2001, seconded by Senator Matsuura.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1791 (Gov. Msg. No. 235):

Senator Chumbley moved that Stand. Com. Rep. No. 1791 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 JACQUELINE K. MURAI and GERONIMO VALDRIZ to the Defender Council, terms to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1792 (Gov. Msg. No. 242):

Senator Chumbley moved that Stand. Com. Rep. No. 1792 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 HERMAN T. ANDAYA, JR., to the Board of Registration, Island of Oahu, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1793 (Gov. Msg. No. 243):

Senator Chumbley moved that Stand. Com. Rep. No. 1793 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 CATHY AKEMI SHIM to the Board of Registration, Kauai and Niihau, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1794 (Gov. Msg. No. 289):

Senator Chumbley moved that Stand. Com. Rep. No. 1794 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 B. CASTILLO, JR., to the Defender Council, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

Stand. Com. Rep. No. 1795 (Gov. Msg. No. 295):

Senator Chumbley moved that Stand. Com. Rep. No. 1795 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 MARY JUANITA TIWANAK to the Hawai'i Paroling Authority, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, Fukunaga, Levin).

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

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

Stand. Com. Rep. No. 1796 (Gov. Msg. No. 156):

Senator Chumbley moved that Stand. Com. Rep. No. 1796 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 THEODORE I. SAKAI as Director of Public Safety, term to expire December 2, 2002, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and said:

"Mr. President, I rise to speak in support of Gov. Msg. No. 156.

"Ted Sakai holds a Bachelor's degree in Political Science and a Master's degree in Business Administration from the University of Hawaii and has held a variety of positions during his 19-year tenure with the Department of Public Safety. Mr. Sakai has dedicated his professional career to working within the correctional system and is recognized as the State's leading authority on corrections. Mr. Sakai has participated as a member of the following American Correctional Association committees: the Delegate Assembly, the Substance Abuse Committee, the Offender Services Committee, and the Correctional Issues Committee.

"During the Senate Judiciary Committee hearing, the Committee heard his views on his administrative qualifications, his visions and his priorities for the Department of Public Safety. Mr. Sakai submitted a plan of action to this Committee which set forth goals, objectives and deadlines to address critical issues in prison management such as inmate abuse and prevention, delivery of mental health services, suicide prevention, and other personnel matters such as employee training, discipline and grievance procedures. The Committee also heard several members of the legal community as well as organizations and private citizens who came forward to voice their overwhelming support for Mr. Sakai. Testimony indicated that Mr. Sakai is known as an individual with a strong sense of self-discipline and commitment to excellence in fulfilling his responsibilities. He has demonstrated his ability to be an effective administrator. Further testimony indicated that Mr. Sakai has performed his positions with compassion, with integrity, and with the courage to make the right decisions in spite of harsh criticism.

"Mr. President and colleagues, as you can see, this appointment comes with great community support and is well deserved. I am confident that Mr. Sakai's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination.

"Thank you."

Senator Matsuura requested a conflict ruling from the Chair as follows:

"Mr. President, again I would like to request a conflict ruling from the Chair."

The Chair stated: "Please state your potential conflict."

Senator Matsuura replied:

"Once again, one of the companies I am an employee of has a business contractual relationship with the Department of Public Safety."

The Chair responded:

"The Chair rules no conflict. You may vote."

Senator Matsuura continued:

"Thank you. I also would like to register my support for the nominee."

Senator Levin also rose in support and said:

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

"In Mr. Sakai's short tenure with the Department of Public Safety, I've been extremely impressed with his willingness to work with the community. Although we clearly differ on the need and the location of the new prison, I feel confident that we will continue to work together and if a prison is constructed,

and certainly it is likely that it will be, that it will be done as compatibly as possible with the needs of the community. I thank him for his willingness and support his nomination."

Senator Inouye then rose so speak in favor of the nominee and said:

"Mr. President, I speak in support of the nominee.

"I concur with all that's been said of Ted Sakai by my colleagues, and as a Hilo native, as well, I urge all of my colleagues to vote on behalf of this nominee."

At this time, Senators Buen and M. Ige requested their votes be cast "aye, with reservations," and the Chair so ordered.

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

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

Stand. Com. Rep. No. 1797 (Gov. Msg. No. 265):

Senator Chumbley moved that Stand. Com. Rep. No. 1797 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of JOHN S.W. LIM as Associate Judge of the Intermediate Appellate Court, 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 support the nominee as follows:

"Mr. President, John Lim is certainly not degree-challenged. He holds a Bachelor's degree from Harvard and a J.D. degree from Stanford Law School.

"Mr. Lim has 16 years of law experience and was appointed to the Circuit Court in 1995. He's also served as a District Court Family Judge, president of Hawaii Lawyers Care and has provided legal counsel to the Waikiki Convention Center Authority and the Hawaii Economic Development Corporation.

"Mr. President, during the Senate Judiciary Committee hearing, we heard his views on Drug Court, the standards for issuing temporary restraining orders, and his philosophy on protecting individual civil rights. The Committee also heard several members of the legal community as well as organizations and private citizens come forward to voice their overwhelming support to Mr. Lim.

"To quote some of the testimony that was reiterated several times -- 'John Lim is an intellectual, approachable, fair, compassionate, hard working individual and is highly respected amongst his peers.' 'Mr. Lim possesses the legal knowledge and ability, professional experience, judicial temperament and impartiality needed to be highly qualified as a judge in the Intermediate Appellate Court.'

"Mr. Lim's commitment to the community and the judicial system is very clear. His appointment comes with great support and is well deserved, and I am confident, Mr. President, that Mr. Lim will do the best job possible as an Intermediate Appellate Court Judge. I urge all my colleagues to consent to his nomination.

"Thank you, Mr. President."

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

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

FINAL READING

S.B. No. 737, S.D. 2, H.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 737, S.D. 2, and S.B. No. 737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 738, S.D. 1, H.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 738, S.D. 1, and S.B. No. 738, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1806) recommending that the Senate advise and consent to the nomination of EARL I. ANZAI as Director of Finance, in accordance with Gov. Msg. No. 146.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1806 and Gov. Msg. No. 146 was deferred until Wednesday, April 28, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1807) recommending that the Senate advise and consent to the nomination of RAY K. KAMIKAWA as Director of Taxation, in accordance with Gov. Msg. No. 157.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1807 and Gov. Msg. No. 157 was deferred until Wednesday, April 28, 1999.

ADJOURNMENT

At 12:27 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., Wednesday, April 28, 1999.

FIFTY-SEVENTH DAY

Wednesday, April 28, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Owen Tanoue, Kalihi Union Church, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 351 and 352) were read by the Clerk and were placed on file:

Gov. Msg. No. 351, informing the Senate that on April 26, 1999, he signed the following bills into law:

Senate Bill No. 484 as Act 37, entitled: "RELATING TO PERSONAL PROPERTY";

Senate Bill No. 716 as Act 38, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY";

Senate Bill No. 808 as Act 39, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 1062 as Act 40, entitled: "RELATING TO AGRICULTURAL PARK LEASES";

Senate Bill No. 1086 as Act 41, entitled: "RELATING TO BOATING PENALTIES";

Senate Bill No. 1216 as Act 42, entitled: "RELATING TO BICYCLING";

Senate Bill No. 1326 as Act 43, entitled: "RELATING TO LENDER EXEMPTIONS";

Senate Bill No. 1403 as Act 44, entitled: "RELATING TO THE TRAFFIC CODE";

Senate Bill No. 1641 as Act 45, entitled: "RELATING TO THE PUBLIC LIBRARY SYSTEM";

House Bill No. 10 as Act 46, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 791 as Act 47, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

House Bill No. 936 as Act 48, entitled: "RELATING TO COMMERCIAL PAPER";

House Bill No. 996 as Act 49, entitled: "RELATING TO MEETINGS OF STATE AND COUNTY BOARDS";

House Bill No. 1072 as Act 50, entitled: "RELATING TO REVERSE MORTGAGES";

House Bill No. 1120 as Act 51, entitled: "RELATING TO PERSONAL CARE SERVICES PAYMENT";

House Bill No. 1125 as Act 52, entitled: "RELATING TO RECOVERY OF MEDICAL PAYMENTS";

House Bill No. 1350 as Act 53, entitled: "RELATING TO THE USE OF RECYCLED OIL"; and

House Bill No. 1703 as Act 54, entitled: "RELATING TO WAIMANALO."

Gov. Msg. No. 352, dated April 27, 1999, transmitting his statement of objections to House Bill No. 1431 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1431

Honorable Members
Twentieth 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. 1431, entitled 'A Bill for an Act Relating to Public Financial Disclosure Statements.'

The purpose of House Bill No. 1431 is to require public financial disclosures, without dollar amounts, from members of the University of Hawaii Board of Regents, the Board of Land and Natural Resources, the Board of Agriculture, and the Hawaiian Homes Commission.

The University's Board of Regents has adopted a rather stringent conflict of interest policy that requires the regents to declare any possible conflict and to recuse themselves from matters that might have even an appearance of conflict. Since the Legislature has given the University autonomy over its own affairs, I believe that the regents should be allowed to administer their own conflict of interest policy without further legislatively imposed requirements.

Moreover, service on all of these boards is voluntary and uncompensated. Public disclosure of private financial interests of the uncompensated members appears to be unnecessarily burdensome, especially when there has been no problem with the existing requirements, and may have a chilling effect on my ability to convince the most appropriate and qualified individuals to serve on these boards.

On the other hand, if public financial disclosures are considered to be necessary notwithstanding the seemingly unnecessary burden and the probable chilling effect, there appears to be no rational basis for requiring the members of only these four boards out of the 160 state boards and commissions to file public financial disclosures. The members of other executive and regulatory boards and commissions should likewise be required to file public financial disclosures.

For the foregoing reasons, I am returning House Bill No. 1431 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 35 to 37) were read by the Clerk and were placed on file:

Dept. Com. No. 35, from the Department of Business, Economic Development & Tourism dated April 26, 1999,

transmitting the March 1999 issue of the Quarterly Statistical and Economic Report.

Dept. Com. No. 36, from the Department of Education, Office of the Superintendent, dated April 9, 1999, transmitting "The Superintendent's Eighth Annual Report on School Performance and Improvement in Hawaii," pursuant to Section 302A-1004, HRS.

Dept. Com. No. 37, from the State Auditor dated April 27, 1999, transmitting a report, "Financial Audit of the Hawaii Public Employees Health Fund," (Report No. 99-18).

HOUSE COMMUNICATION

Hse. Com. No. 732, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 4, H.D. 1 (S.D. 1);
H.C.R. No. 6 (S.D. 1);
H.C.R. No. 9, H.D. 1 (S.D. 1);
H.C.R. No. 47 (S.D. 1);
H.C.R. No. 56, H.D. 1 (S.D. 1);
H.C.R. No. 64, H.D. 1 (S.D. 1);
H.C.R. No. 94 (S.D. 1);
H.C.R. No. 220, H.D. 1 (S.D. 1);
H.C.R. No. 232, H.D. 1 (S.D. 1);
H.C.R. No. 236, H.D. 1 (S.D. 1); and
H.C.R. No. 237, H.D. 1 (S.D. 1),

was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1808) recommending that the Senate advise and consent to the nominations of T.B. LYONS III, HARVEY A. SHAPIRO, GEORGE KAWAKAMI, LEILANI CHRISTY LEE and HERNANDO R. TAN to the State Highway Safety Council, in accordance with Gov. Msg. No. 279.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1808 and Gov. Msg. No. 279 was deferred until Thursday, April 29, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1809) recommending that the Senate advise and consent to the nominations of DAVID FUERTES, JOHN ISOBE, LORRAINE M. MENDOZA, DAVID B. FISHER, JOYCE L.E. KAAIHUE, ALAN T. MURAKAMI and YOU SOUKASEUM to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1809 and Gov. Msg. No. 288 was deferred until Thursday, April 29, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1810) recommending that the Senate advise and consent to the nominations of JONATHAN A. KOBAYASHI, RICHARD L. LIM, DAVID A. OKA, TETSU AIKO, WILLIAM M. MCKILLOP and PHILIP M. JOHNSON, Ph.D., to the Board of Directors, Hawai'i Strategic Development Corporation, in accordance with Gov. Msg. No. 336.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1810 and Gov. Msg. No. 336 was deferred until Thursday, April 29, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1811)

recommending that the Senate advise and consent to the nomination of BARRY T. MIZUNO to the Board of Directors, Natural Energy Laboratory of Hawai'i Authority, in accordance with Gov. Msg. No. 338.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1811 and Gov. Msg. No. 338 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1812) recommending that the Senate advise and consent to the nomination of JENNIFER M.H.F. KIM to the Board of Public Accountancy, in accordance with Gov. Msg. No. 268.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1812 and Gov. Msg. No. 268 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1813) recommending that the Senate advise and consent to the nominations of MELVIN S.H. FONG and CHRISTIANE W. CHRIST, O.M.D., to the Board of Acupuncture, in accordance with Gov. Msg. No. 269.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1813 and Gov. Msg. No. 269 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1814) recommending that the Senate advise and consent to the nomination of NICHOLAS G. OPIE, D.C., to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1814 and Gov. Msg. No. 274 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1815) recommending that the Senate advise and consent to the nominations of GREGORY S. ENDO, MARK H. FUJIMOTO and ROBERT Y. KATSURA to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1815 and Gov. Msg. No. 275 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1816) recommending that the Senate advise and consent to the nominations of RONALD K. MIGITA, GERALD H. TAKEUCHI and LORNA A. NISHIMITSU to the Board of Directors of the Hawai'i Hurricane Relief Fund, in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1816 and Gov. Msg. No. 277 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1817) recommending that the Senate advise and consent to the nominations of JASON Y. UCHIDA, N.D., CHARLES H. TURNER and AUDREY INABA to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 280.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1817 and Gov. Msg. No. 280 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1818) recommending that the Senate advise and consent to the nomination of ERIC HIGASHIHARA to the Pest Control Board, in accordance with Gov. Msg. No. 281.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1818 and Gov. Msg. No. 281 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1819) recommending that the Senate advise and consent to the nominations of JAN K. YOKOYAMA and JONI S. KANAZAWA, P.T., to the Board of Physical Therapy, in accordance with Gov. Msg. No. 282.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1819 and Gov. Msg. No. 282 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1820) recommending that the Senate advise and consent to the nomination of DAVID S. WEISS, Ph.D., BARBARA B. SLOGGETT, Ph.D., and GINGER A. KOLONICK to the Board of Psychology, in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1820 and Gov. Msg. No. 283 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1821) recommending that the Senate advise and consent to the nominations of LINDA D. CHIU, M.D., FAITH Y. LEBB, THELMA YOSHIDA, FAYE A.T. MATSUNAGA and JANICE S. SHINTANI to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 286.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1821 and Gov. Msg. No. 286 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1822) recommending that the Senate advise and consent to the nominations of JAY A. CAMBRA, D.D.S., and STANWOOD H. KANNA, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 290.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1822 and Gov. Msg. No. 290 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1823) recommending that the Senate advise and consent to the nominations of CLIFFORD R. SMITH and JAMES P. CHUNG to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1823 and Gov. Msg. No. 293 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1824) recommending that the Senate advise and consent to the nominations of JAMES H. YASUDA and ROBERT S.J. HU to the Board of Trustees, Hawai'i Public

Employees Health Fund, in accordance with Gov. Msg. No. 296.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1824 and Gov. Msg. No. 296 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1825) recommending that the Senate advise and consent to the nominations of BUSTER M. KOMORI and DAVID D.S. CHUN to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 311.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1825 and Gov. Msg. No. 311 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1826) recommending that the Senate advise and consent to the nominations of BARBARA J. DIRKS, O.D., FRANKLIN Y.P. LAU, O.D., and ERNEST K. OSHIRO, O.D., to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 313.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1826 and Gov. Msg. No. 313 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1827) recommending that the Senate advise and consent to the nominations of STANLEY A. WADA, CLYDE J. EUGENIO, ERNIE BELLO and KENNETH T. TOKUNAGA to the Contractors License Board, in accordance with Gov. Msg. No. 333.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1827 and Gov. Msg. No. 333 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1828) recommending that the Senate advise and consent to the nominations of BENJAMIN M. ONO, M.D., THOMAS SIDNEY KOSASA, M.D., RAMON K. SY, M.D., and ANN H. KOBAYASHI to the Board of Medical Examiners, in accordance with Gov. Msg. No. 337.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1828 and Gov. Msg. No. 337 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1829) recommending that the Senate advise and consent to the nominations of WAYNE M. SHINTANI, PATRICK PETTI, RALPH Y. FUJINAKA and MILTON W.Y. LUM to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 181.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1829 and Gov. Msg. No. 181 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1830) recommending that the Senate advise and consent to the nomination of PATRICIA CHOI to the Real Estate Commission, in accordance with Gov. Msg. No. 284.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1830 and Gov. Msg. No. 284 was deferred until Thursday, April 29, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1831) recommending that the Senate advise and consent to the nominations of CAROL RAE BAPTISTA, CURTIS K. SAIKI and DON I. SAKAI to the Board of Taxation Review, First Taxation District (Oahu), in accordance with Gov. Msg. No. 316.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1831 and Gov. Msg. No. 316 was deferred until Thursday, April 29, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1832) recommending that the Senate advise and consent to the nominations of RANDOLPH R. CABANILLA and MIMI S.J. HU to the Board of Taxation Review, Second Taxation District (Maui County), in accordance with Gov. Msg. No. 317.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1832 and Gov. Msg. No. 317 was deferred until Thursday, April 29, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1833) recommending that the Senate advise and consent to the nomination of JOSE R.S. DIOGO to the Board of Taxation Review, Fourth Taxation District (Kauai), in accordance with Gov. Msg. No. 319.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1833 and Gov. Msg. No. 319 was deferred until Thursday, April 29, 1999.

Senators Fukunaga and Levin, 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 RICHARD SAKANASHI to the Board of Taxation Review, Third Taxation District (Hawai'i), in accordance with Gov. Msg. No. 344.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1834 and Gov. Msg. No. 344 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1835) recommending that the Senate advise and consent to the nominations of ALISON M. DINGLEY, THOMAS H. KAAIAI, JR., JUDITH AKAMINE, GARY L. BLAICH, M.D., and GODFREY "KAIPO" KEALALIO II, to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, 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 Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1836) recommending that the Senate advise and consent to the nominations of WAYNE T. HIKIDA, CLARA KATEKARU, FELY LIBRE, WINIFRED N. ODO, LINDA SPRATT, JILL N. TOKUDA and HARRIET O. YOSHIMORI to the Policy Advisory Board for Elder Affairs, in accordance with Gov. Msg. No. 292.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1836 and Gov. Msg. No. 292 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1837) recommending that the Senate advise and consent to the nominations of GAIL T. TOMINAGA, M.D., F.A.C.S., VIRGINIA MARIE KAPALI, DELBERT M. NISHIMOTO,

ANDY SCHWARTZ, M.D., TOBY L. CLAIRMONT and DARREN J. ROSARIO to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 294.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1837 and Gov. Msg. No. 294 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1838) recommending that the Senate advise and consent to the nominations of J. COURTNEY FITZSIMMONS, DONNA M. BUHRMAN, EPE ANDERSON, HEATHER PROUD, SHARON SHORE, LINDA WONG, LYN A. PASAK, LORI G. ODELL and RANDOLPH C. HACK to the Statewide Independent Living Council, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1838 and Gov. Msg. No. 304 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1839) recommending that the Senate advise and consent to the nominations of LESLIE ROSS, Ph.D., SHELLY A. ABE OGATA, KUHIO ASAM, M.D., POE SUA'AVA III, WILLIAM S. BUD BOWLES, MARILYN JEAN MOE and SANDRA JANE MIYOSHI to the State Council on Mental Health, in accordance with Gov. Msg. No. 309.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1839 and Gov. Msg. No. 309 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1840) recommending that the Senate advise and consent to the nominations of DOROTHY (NANI) FIFE, JAMES (JIM) C. BEAMAN and JOANNE H. KEALOHA to the State Advisory Council on Rehabilitation, in accordance with Gov. Msg. No. 314.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1840 and Gov. Msg. No. 314 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1841) recommending that the Senate advise and consent to the nominations of JANE RENFRO SMITH and LESLIE WILKINS to the State Commission on the Status of Women, in accordance with Gov. Msg. No. 323.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1841 and Gov. Msg. No. 323 was deferred until Thursday, April 29, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1842) recommending that the Senate advise and consent to the nominations of VIRGINIA M. PRESSLER, M.D., EVELYN CHONG, ESPERANZA N. CADAVONA, KATHERINE ANNE O'REILLY, JOHN L. NOLAND, CHARLES C. DUARTE, HELEN SMALLEY-BOWER, LAMBERT K. WAI, DAVID PFEIFFER, Ph.D., DIRK K. WASANO and MILLICENT L.K. ROGERS to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 334.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1842 and Gov. Msg. No. 334 was deferred until Thursday, April 29, 1999.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented

a report (Stand. Com. Rep. No. 1843) recommending that the Senate advise and consent to the nomination of GREGORY G. Y. PAI, Ph.D., to the Public Utilities Commission, in accordance with Gov. Msg. No. 193.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1843 and Gov. Msg. No. 193 was deferred until Thursday, April 29, 1999.

At 11:50 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.

ORDER OF THE DAY

MATTER DEFERRED FROM TUESDAY, APRIL 27, 1999

ADVISE AND CONSENT

Stand. Com. Rep. No. 1785 (Gov. Msg. No. 306):

Senator Hanabusa moved that Stand. Com. Rep. No. 1785 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of DANA NAONE HALL to the Island Burial Council, Islands of Maui and Lanai, term to expire June 30, 2003, seconded by Senator Tanaka.

Senators Tanaka, M. Ige and Iwase then requested their votes be cast "aye, with reservations," and the Chair so ordered.

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

Ayes, 24. Noes, 1 (Buen).

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MEI LEE WONG to the Island Burial Council, Islands of Maui and Lanai, term to expire June 30, 2003, seconded by Senator Tanaka.

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

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1805 (Gov. Msg. No. 145):

By unanimous consent, action on Stand. Com. Rep. No. 1805 and Gov. Msg. No. 145 was deferred to the end of the calendar.

Stand. Com. Rep. No. 1806 (Gov. Msg. No. 146):

By unanimous consent, action on Stand. Com. Rep. No. 1806 and Gov. Msg. No. 146 was deferred to the end of the calendar.

Stand. Com. Rep. No. 1807 (Gov. Msg. No. 157):

Senator Fukunaga moved that Stand. Com. Rep. No. 1807 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of RAY K. KAMIKAWA as Director of Taxation, term to expire December 2, 2002, seconded by Senator Levin.

Senator Kawamoto rose in support of the nominee and stated:

"Mr. President, I rise in favor of this nominee.

"Mr. President, as you know, we worked very hard in trying to get a 'state resident' definition. You know, we did not have a definition for the work force. We had a seminar. Mr. Kamikawa came to the seminar and provided information and came to the second meeting and provided information on a good logical definition of a 'state resident.' We have before this legislative session a possibility where we can define 'state resident' so that the federal government can address Public Law 8078. In which they said that if Hawaii's unemployment is higher than the national average, Hawaii's state residents would have preference in federal contracts. Mr. Kamikawa provided us with a workable definition and that's what we're using.

"His efforts in helping the economy in this area is tremendously appreciated. Therefore, I urge all my colleagues to support the nominee, Ray Kamikawa."

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 Kawamoto introduced Ray Kamikawa who was seated in the gallery.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

ADVISE AND CONSENT

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Chumbley then said:

"Mr. President, I request an end of calendar on Gov. Msg. No. 145."

The Chair replied:

"Your request is denied. We will take advise and consent on Stand. Com. Rep. No. 1805."

Senator Chumbley responded:

"A brief recess, Mr. President."

The Chair ordered the Clerk to continue.

Stand. Com. Rep. No. 1805 (Gov. Msg. No. 145):

Senator Chumbley interjected:

"Mr. President, a brief recess, please."

At 11:59 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.

Senator Chumbley moved that Stand. Com. Rep. No. 1805 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 MARGERIE S. BRONSTER as Attorney General, term to expire December 2, 2002, seconded by Senator Matsunaga.

Senator Matsunaga rose to support the nominee as follows:

"Mr. President, I rise in support of the confirmation of Margery Bronster to the office of Attorney General.

"Mr. President, each of the members of the Senate, today, must be asking themselves two questions: (1) What do we think of Margery Bronster for State Attorney General? and (2) Will she be good for the people of the State as Attorney General? To state the obvious, we have three choices today -- we may vote 'aye'; we may vote 'aye, with reservations'; and we may vote 'no.'

"Mr. President, Ms. Bronster has been a solid and often stellar Attorney General. According to testimony, letters, phone calls, faxes, e-mails, she is an intelligent, caring, tough and courageous lawyer who supports law enforcement, protects the State's interests, and is fearless when it comes to advocating on behalf of the people of Hawaii. Mr. President, I am wholeheartedly in support of the nomination without any reservations, whatsoever.

"However, Ms. Bronster is not perfect. Even those of us who are her friends know that she can be overbearing at times. That being said, you cannot expect a department head with limited resources to be perfect. No department head has ever been able to address all the areas of concern under their jurisdiction. Even this Legislature, with all its power, cannot satisfy everyone's needs. If solving every problem and meeting every need was a standard for confirmation, then no department head would ever be confirmed.

"In assessing this nominee, Mr. President, we must look at Ms. Bronster's entire record, including her impressive list of accomplishments during her relatively short tenure as Attorney General. We can't simply judge her solely on a few shortcomings, however valid, without at least giving her a fair chance, along with the adequate resources, to address them. Recall that even though all the nominees for department posts this session had shortcomings, they were all confirmed. When we voted on those nominees, we looked at their overall performance, questioned them regarding their apparent shortcomings, and we voted to confirm. All of them will be given an opportunity to work to address those concerns. Mr. President, shouldn't we afford Ms. Bronster the same consideration?

"Many members have expressed reservations about Ms. Bronster -- reservations regarding her management style; reservations regarding the allocation of resources; reservations regarding statements attributed to her, regarding the timeliness of her response to our colleagues' inquiries. And many of these concerns may be valid, Mr. President. However, we cannot hold Ms. Bronster wholly accountable for matters for which she is only partially responsible. We cannot hold her responsible for resolving the entire Felix matter, especially after the Superintendent of Education, Paul LeMahieu has stated that she has provided appropriate services to the DOE on that matter. In Monday's *Advertiser*, Mr. LeMahieu stated, 'I don't know what else or more an attorney general should do.'

"Mr. President, everyone has faults -- Achilles was vulnerable at the heel; Shaquille O'Neal cannot shoot free throws -- but we have not been striking the Governor's nominations because they have had a few faults, and we should not start now.

"If members have reservations about the nominee, then they should vote 'aye, with reservations.'

"Our role, Mr. President, is not to say whether Ms. Bronster would be the best choice for Attorney General, or even whether she is the superior choice for Attorney General. We are here to review what is and has always been the Governor's prerogative. That is his choice for Attorney General. We are not a rubber stamp, but we are also not a selection committee. Mr. President, just because the Governor's choice would not be your first choice for Attorney General is not a sufficient reason

to vote 'no.' If you have reservations, you should vote 'aye with reservations.'

"If members recognize that Ms. Bronster has both good qualities as well as shortcomings, then they must understand that a 'no' vote will deprive this State of all the positive qualities that she has to offer, and let's consider her accomplishments over the past four years. She has brought to our State over \$1 billion from the tobacco litigation, raising our initial allotment from \$800 million to a whopping \$1.3 billion. That would even make Senator Inouye proud. She has taken on the big oil companies, a move which was followed very shortly by a steep drop in local gas prices. She has gotten our beleaguered prisons out from under the prison consent decree. She has brought to a close the seemingly never ending stadium litigation, bringing the State an additional \$10 million above and beyond original estimates. She has been a leader of law enforcement and a strong advocate in the fight against domestic violence. And finally, she has conducted investigations into matters that no other Attorney General has ever dared look into. This is what she brings to the job. And this is the kind of person that the people of this State will lose if we vote 'no' on this confirmation.

"In addition, Mr. President, we must consider that if we vote not to confirm, future attorneys general will know that if they go after the politically powerful they will pay with their jobs.

"Ms. Bronster has all that too rare quality called integrity. Unfortunately, Mr. President, while integrity inspires accolades from some, it often garners animosity from others. Integrity can make enemies. In Ms. Bronster's case, it has made her some very, very powerful enemies.

"With this in mind, we must understand one thing -- that the public, as well as future appointees, will watch this vote to see whether a person can investigate the politically powerful and still keep their job. It is my hope, Mr. President, that we have the right answer to this question here today.

"Mr. President, no Attorney General has ever dared to ignore the status quo and tackle the issues that Ms. Bronster has, and chances are, the Governor will not be able to find another one who will. Mr. President, the people of Hawaii stand to lose much if we vote 'no' on this confirmation. And I would not be surprised if many voters decided not to forgive us for doing so.

"Mr. President, I urge my colleagues to vote 'yes.' Thank you."

Senator Slom rose in support of the nominee with reservations and said:

"Mr. President, perception is extremely powerful and the perception today is that we're going to do something historic. I stand and vote for the confirmation with reservations.

"I have said from the outset and from the time that I first ran for office, I would always try to fairly and equitably listen to all of the evidence, listen to all of the people, and make up my mind accordingly, and that's what I've tried to do. Over the last week-and-a-half we have logged in our office and at my home and at my business office more than 327 personal phone calls, 117 e-mails, 112 faxes, 17 letters. Among those were very thoughtful people. Among those were threats, intimidation, warnings which I do not appreciate for my wife and children and my staff members. But I'm not swayed by threats or innuendo or ultimatums. In the end, as I said, I listened to everyone. I attended all the hearings. I read all the testimony. And it was life long personal friends of many different persuasions that came to me and their perception is that this nomination is extremely important and that this must be done today. And the perception is that if we don't do this that it damages further the reputation of this Senate.

"Mr. President, I've only been in this Senate for three years. I don't know whether I'll be back in this Senate, but I have a great deal of regard for the Senate as an institution and for my colleagues. And I know that it's extremely difficult to take very difficult positions. And whenever you do, you anger a number of people, and yet that's what you have to do.

"But I will tell you this, Mr. President, in the three years that I've been here, I have never had the kind of personal response on any issue that I've had on this issue. I've never had the depth of commitment and passion and explanation that I've had in the last week-and-a-half.

"Do I have problems with the Attorney General? You bet, I do. That's why I was one of the first people to come out and say that I had those problems, and my inclination was to vote 'no.' Those problems have not gone away. They involve: poor administration within the department; the cost of that department; the tremendous increase and the number full-time deputy attorneys general in that department and yet still going outside for additional attorneys; the problems that individuals, agencies and departments have had in trying to get legal assistance especially as related to Felix-Cayetano issues; the problems that individual voters have had after the election when the Attorney General's deputy ruled that even though individual citizens have a right to examine ballots that the fact that the Elections Officer did not make administrative rules, even though he has been in that process for 18 years, supersedes the right of individuals -- that bothers me a great deal; the fact that the Attorney General's staff came and begged for and argued for an extension of immunity in this so-called Y2K problem, the original bills that they argued for that I voted against sought eleven-and-a-half years of immunity that no matter what this State would do that they should be immune -- that bothers me; the fact that some people have a very difficult time in getting decisions rendered -- that bothers me; the Attorney General's position in the original Shell-Texaco case which was very negative and had a tremendous impact on many small service station business owners -- that troubled me.

"But you know, Mr. President, in the three years that I've been here, I've taken a lot of unpopular positions. I've tried to argue forcefully for tax and spending reductions, reduction in government, and tried to do the right thing. And I get a little frustrated and discouraged when we're voting on a major tax bill and the vote comes out 20 to 5 for more taxes, more government, more debt, and I only get five or six phone calls from outside. I get very concerned when the other day we approved the head of the Department of Human Services for another four years, when this one department and this one individual had one responsibility -- to take care of our children. After all, that's what we say every single day here, it's our keiki. We're certainly not here for ourselves, is it? It's for our keiki. And yet there were so many mistakes made that led to deaths and nobody wanted to take responsibility, no one wanted to blame anybody or be accountable and the vote on that issue was 19 to 6.

"So, my problems with the Attorney General, from the beginning, have been management, style, money, micro-managing. And to me, they pale towards the problems in these other areas that I've outlined and other areas too, where nobody seems to think it's that important.

"I promised my constituents that I would listen to them, and I listened through the threats and harangues and everything else. And I told them I would do the right thing as I see it. And so today, I'm going to cast my vote, as I say, with reservations, in hopes that these problems are controlled. And to those of the public that called me and said that I had become a member of the 'old boy' network, I'm still too young for that. (Laughter.) For those of you that said I was in the pocket of the Bishop Estate, their pocket isn't big enough to hold me, and I remind you that they voted for and supported my opponent three years ago and I'm a commercial lessee and I write out a big check to them every month. I have no special interest, direct or indirect.

"And if the perception is that we continue with this Attorney General in order to make change in this State, that's what I campaigned on and that's what I believe. And I will challenge the people that are in this gallery -- many of whom have never been down here before, many of whom have never picked up a telephone before -- then walk the walk as well as talk the talk. And if you want change, then make sure that you see it through. And don't do it for one person or one personality. Make sure that we have the changes that are necessary in this community, in this State, and not for me and not for my colleagues, but for our children, if you really believe that.

"Thank you, Mr. President."

Senator Inouye rose in support of the nominee as follows:

"Mr. President and fellow colleagues, for many weeks there has been much discussion and extensive media coverage concerning the nomination of Ms. Bronster for another four years as our State Attorney General. In spite of all this close scrutiny, Ms. Bronster, in her own words, has told the people of Hawaii that she is, quote, 'committed to do my very best every moment that I have left,' unquote. I truly believe that this is the kind of commitment to the job that she has shown for the past four years. She has faced daunting challenges and handled them with a dedication above and beyond the call of duty without regard to personal gain.

"This nomination should not be one of politics. This should be a nomination with concern for the greater public good. In my view, Ms. Bronster has shown that she has tackled issues large and small with the public's best interest at heart. She's been criticized for not providing sufficient AG resources to such issues as the Felix consent decree. I believe she has managed her resources as best she could for what she had.

"Before voting on whether or not to confirm her, I suggest that we all do some self reflection. Have we as Legislators given her the resources needed to do the work she has been expected to do?

"I believe there is no finer public servant than Margery Bronster. She gave up a lucrative private sector career to serve the people of Hawaii, and I believe she has done so with the utmost of professionalism and dedication.

"Mr. President, for the reasons I've stated, I urge my colleagues to vote 'yes' in confirming Ms. Bronster for another four years as our State Attorney General.

"Mahalo."

Senator Iwase also rose in support of Ms. Bronster and said:

"Mr. President, I'm rising to speak in support of the nomination.

"Mr. President, each session there are about one or two issues which define us in the public's eye. And over the past few years we have failed the public. On these defining issues, we have not fulfilled their expectations that we be responsive to their concerns. In 1999, the confirmation of Margery Bronster will define this Senate.

"Like the Senator from Hawaii Kai, I have received over 500 communications -- more than I've received on any other issue. The public's expectation, at least based on what I've received, is to support the confirmation. Some of the communications were from my constituents, many were not -- 484 in support of the nomination and 12 in opposition.

"Mr. President, this past Monday, I voted 'no' on the confirmation of a cabinet nominee. And at that time, I stated that broad discretion must be granted to the Chief Executive in appointing his cabinet and that we should reject the nominee

only if there are documented facts establishing substantial and compelling reasons to vote 'no' against the nominee.

"At the 1950 Constitutional Convention, Delegate Crosley stated, 'There is validity in the principle that we should shape up responsibility to where it belongs. The Chief Executive is responsible for the administration of government. He is responsible for appointing these department heads.' This sentiment was echoed at the 1968 Constitutional Convention where there was discussion on eliminating the requirement of Senate confirmation for the removal of department heads with the exception of the Attorney General and the Board of Regents. Moreover, in words that should be remembered here today, the committee report in support of eliminating the requirement stated, 'The confirmation requirement often invites political maneuvering outside the public arena. This makes recruiting of good executive talent more difficult.' At that Constitutional Convention was a delegate named Nelson Doi, then a 13-year member of the State Senate, and he made a speech in support of the proposal. And again with words we should heed today, because I think we ought to really seriously consider what he said, let me read to you, with your indulgence, what Delegate Doi said:

"The thing that bothers me the most, it happens quite often when we have important nominations come down from the Governor's office to the Senate, especially people in the cabinet, it happens that the confirmation is postponed and postponed right up to the end of the session, if possible. Why is this done? So that when it gets to the very close, the very end of session, you find many bills just before the point of passage. All the business of the Senate is then waiting to be acted on, and this is the time when you must get your vote to pass a particular measure or confirm a particular nominee. And what happens here? You exchange the vote for a nominee, for a bill. You exchange the vote for a special legislation for a vote on the nominee. And this is what happens.

"Mr. Chairman, I am compelled here to tell the story and this, I believe, is the truth. This happens almost every time we have a big nominee coming down from the Governor's office. And if this be true, then we are abusing the power of confirmation."

"Mr. President, we must never abuse this very important power of confirmation. These are department heads who run departments that serve the people of this State. We must respect the principles of separation of power and give leeway to the chief executive to select and be responsible for the cabinet choices. We must recognize, recognize that no nominee is free of blemish or fault. I believe that where substantial and compelling reasons exist, we are duty bound to reject the nominee. However, where such a record does not exist, we have the obligation to confirm.

"Mr. President, for the past few years, on the defining issues before this body, we have sorely and we have sadly disappointed the public. The public wants us to do right. They are waiting for us to do right.

"Mr. President, the Attorney General's office is where I started as an attorney. It is my home. I still consider it my home. There are good people there. It is an office that is to be respected. It's not an office that is to be abused. It is not an office to play politics with. We must do the right thing. Mr. President, we must not abuse the power of confirmation. We must support this nomination, and I will do so today.

"Thank you very much."

Senator Levin then rose to support the nominee and said:

"Mr. President, I rise to speak in support of the nominee without reservation.

"Mr. President, I don't have the eloquence of some of my colleagues, but I am proud to stand with the speakers from Hamakua, Mililani, and especially the speaker from Palolo, and I ask that the remarks of the speaker from Palolo be incorporated in the record as if they were my own."

The Chair so ordered.

Senator Bunda, rising in support of the nominee with reservations, then stated:

"Mr. President, I rise in support of this nomination with reservations.

"Mr. President, the current controversy surrounding the Attorney General's confirmation has pitted Margery Bronster against the Bishop Estate. Lost in all of this are the real issues concerning the people of our State -- the budget, our depressed economy, and providing accountability in our educational system. These issues should take priority over this confirmation process.

"Mr. President, I believe that the Attorney General's preoccupation with the Bishop Estate case has adversely affected her management of her Department. Granted, some of the problems reported by her critics existed before she took office. But her performance today is being evaluated by the public not on her administrative ability or lack of it, but solely on her crusade against Bishop Estate. However, Mr. President, I really don't feel that the Attorney General's removal from office would bring about any meaningful resolution to the Bishop Estate lawsuit, nor will it resolve the other crucial issues facing our State. We need to bring closure to the Bishop Estate controversy which has taken up an extraordinary amount of time and our State's limited resources.

"Mr. President, if the trustees are found guilty of wrongdoing, then Margery Bronster's preoccupation with this case will ultimately be forgiven. If it is the trustees who are vindicated, then it will be Margery Bronster and the Governor who will be held responsible for the expenditure of our taxpayers' money. Therefore, Mr. President, I'm voting 'yes, with reservations' today in hope that this controversy over her confirmation will be taken as a strong signal to Ms. Bronster to fix the administrative problems within her department. I sincerely hope that this debate will result in a stronger focus on those issues that affect us all, not just the condition of Bishop Estate.

"I believe it is the time to see some light at the end of the tunnel. We as legislators are often called upon to make hard decisions based on a perspective of the 'big picture.' We cannot make reasonable decisions based on a 'single-issue' mentality. We should expect the same from our Attorney General, Margery Bronster.

"Thank you, Mr. President."

Senator Chun then rose in opposition and said:

"Mr. President, I speak in opposition to the nomination.

"Mr. President, I'll be the first to speak in opposition. I don't know what people out there think about me, but I will state my reasons because I will always state my reasons and my concerns. I will never hide them from anybody.

"I agree with the discussions that have been made supporting the nomination. I agree that we should protect abuses of power. I agree that we should protect the institution of the Senate and the integrity of the separation of powers. But the problem I have is I disagree with the statement made today that when there are doubts, we should always give the nod to the Governor. On most every situation I would agree except for the Attorney General because the Attorney General serves as the attorney and legal adviser for the Legislative Branch. Because

of this obligation that she has, she is also our attorney, my attorney. I need to be as comfortable as the Governor with her legal advice and her character as I would my own personal attorney. And Mr. President, at this point in time I have not come to that conclusion.

"Let me explain the reason why I'm not comfortable at this point in time. First of all, in discussing with the departments why there are failures in performing their duties, the consistent theme is that the Attorney General's office has not given them sufficient support. By itself, I don't give that much credence because being a former government attorney myself, I know the problems of the Attorney General's office and the deputies over there. I know how hard they work and how much demands are placed upon their time and energy. However, I feel as a Senator I need to go into more detail and so I asked them, Why? What led to those things? What is the problem? And I found time and time again, in my informal discussions with them, that oftentimes, at least the perception is there, that it has arisen because there have been disputes or fights between the Attorney General and the department heads. And that concerns me. Now if it is because of overwork, I can accept that, but when a department head and division chiefs or employees come back and say, the reason why they feel they're not being serviced is because the Attorney General has a fight with their department, that raises a red flag in my mind.

"I went further and asked other people, Why is this happening? I even asked some of the Governor's own people about this perception and they agreed that there is this perception out there, and they agreed that there were disputes between Ms. Bronster and other department heads. And they have agreed that those disagreements have affected the working relationships between the Attorney General's department and that department. And that is the heart of my concern. If the Attorney General uses her position and lets personal differences get involved with the work of servicing other departments, then the question I need to ask is, Who's next? Because if she's my legal advisor and if she has disputes with the Senate or the House, what assurances do I have that she would not treat us the same way?

"Now, I'm not going to say that this is an absolute, that there is no way she can be confirmed. But this has raised a concern in my mind. I brought those concerns to Ms. Bronster, and Ms. Bronster has said in front of me that she will work on those areas. But, Mr. President, I need more assurances. I need more assurances that she will do more than just work on it, because, Mr. President, once we confirm her, that's it. We have no recourse. The Governor might be able to fire her, but not the Senate. If she doesn't follow through with those commitments, we have no recourse. That's what concerns me. In light of that, I have offered Ms. Bronster an opportunity to see if we can have a trial period in which she would have at least an opportunity to see whether she can work her way through those situations. I have offered her the opportunity, at least a suggestion, that she sit down, withdraw the name and serve as an interim attorney general. During the interim she can begin to work on her relationship with other departments. She can begin to work with her relationship with the Legislature. If during this period she has shown that she can go beyond her disputes and her disagreements and work closely with others, then I say we should bring it up for confirmation next year. However, that option was not accepted, either by Ms. Bronster or the Governor.

"I've also offered, as an alternative, if Bishop Estate is the true rallying cry in that if Ms. Bronster is not confirmed the Bishop Estate matter will fall apart, I've offered her the opportunity, or at least the suggestion, that she be retained as special counsel in charge of Bishop Estate. This would allow that litigation to continue. That offer and that option were not accepted either.

"That raises a question in my mind, Mr. President, that if options, if compromises, if discussions regarding working out

differences are not acceptable to Ms. Bronster now, will it be acceptable to her in the future? I think I've been reasonable. I think I've been forthright in terms of my concerns. I think I've discussed it many times with Ms. Bronster and I have to be honest, I am not quite 100 percent comfortable because if I'm being asked to retain my own attorney to represent me to give me clean legal advice, I need to be 100 percent sure. And I'm not going to give the benefit of a doubt when it is gray.

"The other thing that has concerned me about these situations with Ms. Bronster is that I have gotten many calls, and I have to be honest -- some of them from my island; many of them from Honolulu and I hope they come to Kauai and vote for me one day. Anyway, I have gotten many calls from them and in all those calls, especially the ones from my island, I have made a point to call them up and I listen to them. And yes, Ms. Bronster, you have a lot of support on Kauai also. I listened to them. I listened to their points. I told them my viewpoints. We might have disagreed on some. We agreed on some others. But in all those things, I make a point to listen to them and give them an opportunity to voice their opinion, and agree to disagree sometimes. I think that's really what the heart of the problem is that I have with the nominee. I don't believe right now she has shown me the ability to agree to disagree. I have a lot of respect for somebody who can do that. I think we need to look for people who have the ability to go beyond disagreement and to work together for the common good. That's what I'm looking for in all nominees.

"That's one reason why I did vote for Ms. Chandler because if the vote for Ms. Chandler was a vote based on public opinion or public perception, honestly, I think she would have lost. But I had to go beyond public perception and I went and asked Ms. Chandler about the specific concerns I had and her answers were satisfactory, and I was comfortable with her sincerity. I was comfortable with the people of her department saying that she does have the heart, that she is willing to listening; she is willing to change; she is willing to go forward. And for those reasons, I did vote for Ms. Chandler.

"Mr. President, also there've been other phone calls which have not been so gracious -- phone calls making threats; phone calls, and I don't know from what department it is but phone calls from the state government saying that if I vote against Ms. Bronster or any other Governor's nominee that I will be punished. Mr. President, I do not take well to those threats. Maybe in the past those threats might have worked with other people sitting here in this desk, but today, as I stand today, I will make a decision what I feel is right, not because I can benefit from the government by saying I can get certain projects through or maybe made to look good in front of my voters. I do not take well to those. There has to be a new era. There has to be a new generation of people who are willing to stand up, no matter how unpopular it is and say you cannot bribe me for my vote. You can talk to me about the factors, you can talk to me about the basis for the decision, but don't bribe me, don't threaten me. I don't take well to those.

"For Ms. Bronster, I wish her well. I really don't know Ms. Bronster, what this vote is going to be on the floor today, and if it's for your favor, I'll be happy. If it's against you, I'm not going to be happy about that. But if it's for you, I would want to say this, I want her to show all of us that these concerns of mine, whether she has the ability to agree to disagree and not let personal differences interfere with her ability to offer straight and honest legal advice, whether we will be punished or not punished by her office for supporting or not supporting the nominee . . . I think that will be interesting. For me, either way, whether the votes goes, I'll be interested to see what happens. And if the vote goes against, I'll be interested to see if the state government does act to punish the ones who voted 'no,' because that will tell us where our state government is. That will tell us whether there is a new generation of people wanting to do what is right or bending to what the popular vote is. That will tell us, Mr. President.

"But as I stand here today, I'm willing to stand up and tell everybody what my concerns are. I'm willing to open myself up and say go ahead, if you disagree, fine; I agree to disagree. I am open to saying, I'm putting myself out, if people want to vote me out, fine. I'm open to saying, if you want to punish me, punish me. But this kind of bribery, this kind of threat, these kinds of trade-offs for votes that are not based on the merits have got to stop. And it's got to stop someplace, and to me, I'm going to stop it right here by my vote.

"Thank you very much, Mr. President."

Senator Hanabusa also rose to speak against the nominee as follows:

"Mr. President, I also rise to speak in opposition to the nominee.

"Mr. President, as I thought about this issue, I recalled that the last time I sat and pondered a nominee as carefully as I did this one, was Ms. Himeno who came before this body for confirmation to the Supreme Court. I signed a petition in opposition. I do not take those acts very lightly. I am a practicing attorney, as Ms. Bronster and Ms. Himeno are, but yet there are times when we must stand for principle.

"Mr. President, by the Attorney General's own words, the Department of the Attorney General is responsible to preserve and uphold the State's laws and constitution for all citizens of Hawaii.

"My colleagues, I'm not unlike you, I have received calls as well. As a matter of fact, I think they called my colleague from Hawaii Kai first, and then they called me, and then they say, 'I have a lot of relatives in Waianae and I'm going to tell them all to vote against you.' I have received about three or so calls from my district, and they also say they're going to do some kind of campaign against me. But their issue is always the Bishop Estate, unquestionably the Bishop Estate. And I felt that Ms. Bronster's actions on the Bishop Estate warrants that even if this body were to not confirm her, that she should continue as a special attorney in that area, and I've made those sentiments known in the press. I've also shared my view that I believe a lot of the issues regarding Bishop Estate is really for the IRS, and this morning's paper confirmed that. The Internal Revenue Service, after all, is the ultimate power when it comes to a nonprofit tax-exempt corporation.

"However, what we are faced here with, is the Attorney General. What is the Attorney General? My colleagues, the Attorney General is really a department head. Unlike other department heads or directors, she has a special status because she serves as the chief legal officer for all of the State, including the Legislature. Now, as the department head and the chief legal officer, the responsibility falls on her, definitely and squarely, as to state laws and the Constitution.

"This brings me to the issue that my colleagues are very well aware of that has brought me at odds with the Attorney General's office since, almost, coming to the Senate, and that's the voter issue. As you all know, there is no fundamental constitutional right as sacred as the right to vote. And I will tell you it doesn't matter whether it's one vote; two votes; 10,000; 50,000 votes -- every single vote matters. The manner in which the Attorney General's office treated that issue, the declarations filed in the Supreme Court, the arguments made, and what the people's perceptions were of my constituents, was extremely hurtful. And yet it took three months from my letter, five months from the time the pleadings were made before we received any response from the Attorney General.

"The right to vote, the encouragement of people to participate, my colleagues, that is the fundamental issue that brings all of us here -- the right to vote. You cannot treat flippantly, everyone's right. And we want to encourage people. We want to encourage those who may feel disenfranchised to

vote. This is what I am talking about. And you do not need the chief legal officer's deputy attorney general or statements attributed to that office to dissuade people, especially people of my district.

"Then this brings us to another concern. The Bishop Estate matter, as I stated earlier, has basically blanketed and controlled this process. I bet if my colleagues were to stack the responses and e-mails they received, you would have a ream for Bishop Estate and maybe a couple pages of 'others,' but it's primarily Bishop Estate. This is not to say Bishop Estate is not an important issue. But my colleagues, Bishop Estate is a private trust.

"What about the public trust?"

"As you all know, I sit as chair of Water, Land, and Hawaiian Affairs. We have heard, colleagues, the Budget Director come before us and say, 'Well, you know, our bond rating can't get any worse. We're only above Guam.' Why? Why is that? It is because we have not resolved the ceded lands issues; we have not resolved our disputes with OHA. I have come to learn that OHA has seven other lawsuits that they're ready to file against the State. And you know, what do we know about the status of ceded lands, colleagues? Those who are on Water, Land, and Hawaiian Affairs, as well as in the Majority, know that I have asked time and time again to have the administration's position told to us through the Attorney General's office as far as OHA and the negotiations. And what have we heard? Nothing.

"If the administration had put even a fraction of the effort expended on the confirmation of the Attorney General to address the ceded lands issue, we would maybe have an OHA settlement today. Let us not forget the Attorney General is a participant in that process.

"And colleagues, we want to move this economy forward. We want to infuse money into this economy. It's CIP projects and we are paying a premium. The taxpayers are paying a premium on those bonds because we have such a lousy bond rating. That lousy bond rating is due to the OHA disputes. Now that is an issue of the public trust.

"Again, members of my committee, we have sat there on individual claims. People who are talking about the Bishop Estate, let me call your attention to the Hawaiian Homes Commission. Let me call your attention to the fact that this body in 1988 began the process and in 1991 agreed to pay the individual claims. And from then forth we had a process. So what then happens? In 1997, the Attorney General's office doesn't like the results, so they come before us again, this year, after 43 percent of those claimants have gone through the process and say, let's change the rules. I told the Attorney General's office, 'You know, only you can come here and tell us to change the rules now because you don't like the results. You must do your job. If you, representing the State, if you, representing the Hawaiian Homes Commission, have lost these claims, then come with us and pay them.

"We had to listen, the members of the committee, and watch the kupunas come forward, many of them who will never see their dream come true of being on a homestead because this process has taken so long. And I would like to see them paid some reparation, some form of compensation before they, too, pass on. Most of them have no husbands anymore. They can't get on the homestead. They can't afford it. What about that, colleagues? That is a public trust. Those are the kinds of issues that you should be concerned about. Those are the kinds of issues that should bother you. Those are the kinds of issues that you have to judge a department head by.

"We've heard of colleagues talk about the fact that they voted against Susan Chandler. Susan Chandler is a department head. We don't believe that Susan Chandler is hands-on on all of the various cases, but we hold her accountable, and that's

exactly the same standard that I'm saying that you hold the Attorney General to. You sit here, you say, well she micro-manages; there's all these different problems that we're faced with, but that's okay. But we hold other department heads accountable for the performance of those who work for them because, after all, they're department heads. They run the whole department or are responsible for its results or lack thereof.

"Colleagues, I'd also like to tell you something else. Once the press kindly noted my opposition, I received further calls. One was of real interest. It was another commission who called and said now that we know how you feel about the Attorney General, we'd like to ask if you could amend a bill and give us the right to hire a special attorney. I told them, 'You know, show me, show me why you need it.' And I received a stack of papers, these papers here, and they asked one question. We pay for a specific Attorney General with federal funds, and yet we're not given access. And the Attorney General's office has told us, if we don't like it, you just go to a general pool. But they are paying with federal funds for this attorney. And they asked the question, Is that proper? Can you deny us access to this attorney which we pay for with federal funds? And there is a contract entered into that says that this attorney shall solely serve this commission, unless they -- the commission and the Attorney General -- both agree otherwise. They didn't agree that this attorney could be used for other matters. And what's the retribution for asserting their right -- they will go to a general pool.

"Members, my colleagues, we are here to advice and consent. I do not take that responsibility lightly and I believe that the Attorney General's office is not there for any private trust. It is there for the benefit of the public. We serve the public trust. That is our priority. We have very limited resources and we must prioritize it. And I ask you again, for those who may not know which way they're going to vote, prioritize what it is that we must do as the elected body. It is not an easy thing to turn your back on or to try and put less emphasis when the population is calling about a private entity and how, of course, people don't like the idea that you have an entity that powerful or perceived to be as powerful. But we must judge and we must do what we must do in the public's interest.

"As even the Attorney General said, for all citizens of Hawaii -- for all citizens -- and let's not forget our trust responsibilities of our own, the public trust.

"Thank you, Mr. President."

Senator Kawamoto rose to speak in opposition to the nominee and stated:

"Mr. President, I rise to speak in opposition of the nominee.

"Again, Mr. President, for the second time this session with deep regret, I break one of my favorite DJ's from the '50s and '60s, Mr. Lucky Luck, cardinal sin about speaking anything bad about anyone. But I must say that I have received, as the others have, numerous phone calls, threats and all those things that happened. Well, the threats, they can do as they please. This is a free country. They can organize opposition to my election in 2002, that's fine. I welcome their efforts in that area.

"As for those who sincerely thought that I should not oppose the nominee, here's some concerns that I have. There are no qualms about the nominee's ability, talents to litigate, to, as the Governor said, the most aggressive Attorney General we've had in this State. There are no doubts about those abilities. There's no doubt about that she did a great job or is doing a great job with Bishop Estate, the gasoline. I think if the State had a medal for citizenship or whatever it calls, they should give her a medal for that.

"But, Mr. President, I'm here to speak for those that are unable to be here because they're out trying to do their jobs to

the best of their ability to provide for the needs of the State to take care of the physically challenged, and that is the special needs education program. These people are very talented, just as the nominee. These people have the heart, just as the nominee. These people have the dedication, just as the nominee, and there are many of those people. When people tell me you need to weigh the value of the situation, sure, monetarily, the Bishop Estate, the tobacco outweigh the teachers' salaries, the teachers' support, the supplies, truly, but these are individuals. These are employees of the State who are trying to do their best to do what's asked of them, without question. Today they're there to do that.

"But, Mr. President, as the Senator from Waialae, Kahala and Palolo had said, in here we have a letter from Dr. LeMahieu about his perception that the Attorney General did a good job for the education department. Mr. LeMahieu, I think you should go down to the teaching level, the front line, and talk to these teachers and principals, from whom I have received 50 or more letters here. Some of it says, let me quote . . . and my good friend the Senator from Mililani and Waipahu, you know, he told me, he took me aside one day, he says, 'Kawamoto, you've got to go get some facts. Get letters. Do what you need. This is the way you gotta do that.' And I normally take his advice because it's free. Maybe I have to loan him my golf clubs but no monetary value in that, Senator. But anyway, here's the facts, Senator. It says here, 'School level decisions are now very involved and all staff needs to make legal sound decisions. Parents bring tape recorders to conferences. They bring advocates. They bring attorneys. School staff needs to feel as supported. As principal, I've addressed the situation such as child falls down from equipment, parents threaten to sue. Parent says teacher hits child, threatens to sue. Parent accuses another child for hurting her child, threatens to sue the teacher. Most educational officers will carry personal liability insurance due to the threats,' unquote, of a lawsuit.

"Another letter: 'The Deputy Attorney General who represents us do not believe that the educational officers are professionals.' What are they? Another quote: 'Due processing hearing was filed in October, held in May. The entire period between October and May was spent in negotiation to settle the hearing that we clearly could have won. As a result, we lost the hearing because we were inadequately prepared and the Attorney General's office refused to appeal the officer's decision.' Another quote: 'DOE must prevent frivolous lawsuits and needs expertise to mediate the cases of plaintiff attorneys and have them think twice for charging ahead against school personnel. Attorneys need to be accessible to school personnel on many issues as a result of federal compliance.'

"Mr. President, you know, also in this package of things I have here is a letter from Mr. Walter Kupau. You know, in there he says that he will support Ms. Bronster, but I want to be like him. I want to be like him as he protects his carpenters. I want to be like him to protect the employees of the State. You know, it's some of our fiduciary job. He needs to protect the rights and interests of his carpenters. We as Legislators and as Attorney General need to protect the rights and personal liability of our teachers and principals.

"Mr. President, these employees go out every day doing the most difficult and challenging tasks that we have in education system. These warriors are teachers and principals of special ed. It's a tough task to begin with. And doing it with threat of a lawsuit over their head makes this job a little more difficult. These plaintiff officers are telling these teachers increase your personal liability in your home owners because we're coming after you, your husband or your wife, whatever it may be, that you're going to be personally liable for these IEP. IEP means individual education program for each special ed student. Granted, the Attorney General has come out and said, and we've asked her to do this, has said that we're immune. But where is the policy down there telling them they're immune. It's not down there because you go throughout the State and all

these letters are from the neighbor islands, throughout the state there's the same conception. If they are immune, then tell them. Give them memos. Tell the plaintiff attorneys, hands off, whatever you have to do. But avoid the possibility of a threat there.

"These teachers are leaving the profession; they're taking leave of absence. Some of them, long time residents, are leaving to go to the Mainland, breaking off family ties and going to the Mainland. They're tired. They're frustrated. How much money is that? The personal lifestyle of these individuals -- Is it worth more than the lawsuit from the billion dollars we got from the tobacco company? Maybe not monetary-wise, but quality of life is important also.

"It is our job to protect and give them the tools they need to do their jobs. We need to stand by them. They are public servants.

"This is so important that this year, Mr. Shishido, interim District Superintendent of the Honolulu District, some of the teachers came to see me and they wanted to hire their own attorney for special ed. Is it so important to all of us that this bill still goes forward from the Education Committee? It still goes forward and Ways and Means is thinking about providing that opportunity.

"And this is not the first case. We've seen ERS come for a special attorney. We've seen the Tax Department ask for a special attorney. Ladies and gentlemen, the Attorney General's office has 161 deputies, the largest law firm in the State of Hawaii, and yet they cannot provide for their concerns. (And Mr. Chumbley is saying 161. It was 171 and the Attorney General, after our interview, told me she had 161, so that's from her.)

"The desire to be involved with all the contracts that go into different departments that goes into the Attorney General, the departments won't tell you this, but the workers will tell you. Get down and talk to the workers. They said turning something into the Attorney General's office for opinion is a deep, deep, deep black hole. Lucky if it comes out after six months. I'm taking the average. I'm sure somebody's going to send me something saying one day, but I'm just taking the average.

"The other thing, Mr. President, I was disappointed, extremely disappointed that as I went through my process of researching and trying to find to make the right decision . . . One of it was again my good friend lawyer from Mililani and Waipahu, he says, you may have to bring her in; you have to talk to her. I said okay, so I did. I brought her in, April 23, Friday, I think it was 10:30 or 9:30. I may have forgotten the time. We talked for about an hour, discussed the issues, discussed my concerns. We did that. Before she left, I asked her if she had any questions. She said, I have one question, Are you ready to help confirm me or not? I said, at this time I'm not ready to make that commitment as of yet, but I'll think about it over the weekend. At 4:15, I received a fax letter, and I don't have the letter; I thought I had it, but I don't have the letter; the Governor took it. I don't have a letter. It said that one of your bills, there's a probability that it may be unconstitutional. That's okay too, that's part of her job. But I hope it's not coincidental or if it is coincidental and it's not due to the fact we wanted to play games. I don't like to play games, especially when it deals with people. I hope that wasn't so.

"But let me tell you, we have worked very hard on the military construction bills. We had five bills, three resos and it's getting difficult to pass some of these. But regardless, we have asked the Attorney General to come to these symposiums. We asked the Attorney General to come as Mr. Kamikawa was asked. We asked her to come to the second solution symposium. She wasn't there or her staff wasn't there. We packaged all these five bills and three resos and we sent it over to the AG's office. No comment. And nine days before the session ends, she sends me this letter or her staff, not she. I

take that back. Her staff signs a letter to me saying that one of my bills could be unconstitutional. I hope it's not part of the threats. I hope it's not part of the effects of these efforts of trying to do a good job and trying to make the decision.

"Mr. President, many other concerns . . . I'm sure many of my fellow Senators will be rising to speak for those. But again, we need to provide when we have talented people in their own right trying to do a good job for the State of Hawaii, for the Education Department, trying to be out there to teach our students, to educate them to live a normal quality of life, it is our duty and our commitment to protect these people. And many say, Why don't you ask her to do it and give her a second chance? We've done that. We in the Ways and Means Committee, I've sat in there for five years . . . we in the Ways and Means Committee, we interviewed all the department heads. We asked them questions. We asked them about concerns about their constituents. They answer us. And when we get these kind of letters that come to us, we have concerns. We have concerns because we give them 161 attorneys. We spend money on the department. And yet, the basic right of these employees are not protected. The basic right of a working man and woman is not protected. And I blame the head of the Attorney General's office, the nominee who has been the AG for the past four years.

"Thank you very much."

Senator Tanaka rose to speak against the nominee and said:

"Mr. President, it's always nice to follow the Senator from God's country and I swear I'm not going to keep it that long. I think they need a break.

"Mr. President, I rise in opposition of Gov. Msg. No. 145.

"Mr. President, I had the same concerns as many of my colleagues that spoke against, even with reservations. I concur with them. But I have also left my door open because I felt that it's important to let the people voice their concerns. And as we all know, they did. We had tons and tons of calls, e-mails and everything, and I want to thank them for participating in this process.

"One point of interest was my neighbor island, so I expected many calls or faxes or e-mails, but I received few -- no more than six, I think. And that concerns me. I don't know if this problem is only for Oahu. I think Maui is part of the State and I think we should all be concerned.

"My opposition to her, aside from all of the others that we heard, is that, as a seating Senator here, she has not responded, in fact she has disregarded my letter dated November 6, 1998, as co-chair of Economic Development. In the process of running the so-called committee, I needed a legal opinion. I've waited and waited -- none. Then on July 29, 1998, I wrote to the AG once again for the same request saying that we needed to get ready for the next session. Again, no response. Later I had a phone call. But, Mr. President, as a seating Senator I think I deserve a written legal opinion from the AG's office. If she disregards me, what can I expect for the general public. And I felt very bad for my constituents, and especially for the people that requested the legal opinion, that I had nothing to give them. And this is the third year and I still don't have anything to give them.

"So that's only one of my concerns and I have many. So with that I'll keep it short.

"Thank you, Mr. President."

Senator Tam, also rising in opposition, then said:

"Mr. President, I rise to speak against the confirmation of Margery S. Bronster.

"First of all, I'd like to state for the record, I am not here to argue on the confirmation of Gov. Msg. No. 145. I'm here to state in terms for the record in terms of how I'm voting. Many people have different reasons, but let me tell you in terms of my justification. I have made my decision based on a solid foundation of rational reasonings, not based on emotionalism of the present lawsuits at hand, namely that which has entered the picture, the Bishop Estate. In fact, I am not a friend of the Bishop Estate, the people associated which are considered in opposition towards me. My opposition has been expressed by their opposing me this past election last year.

"The Committee on Government Operations and Housing for which I have the responsibility of being chairman is responsible for evaluating all departments of the State of Hawaii with regards to their productivity and efficiency in the delivery of public service. Thus, in deciding on the confirmation of Ms. Bronster, I must base my decision on the nominee's management capabilities, not on legal abilities only. If I may also remind everybody, I am not only a Legislator. My background is in personnel and I have been in the negotiation area and also in the management area in personnel. I'm also a former budget analyst within the State and also in the private sector. And I'm also a businessman in the private sector at this time. In fact, ironically as a businessman, my wife says that she would not want to work for me. Why? Because I have hard standards. In fact, quite frankly, I've told her several times, jokingly, that I would fire her if she were employed by me.

"While evaluating the Office of the Attorney General, we discovered that many, many departments within the State government have voiced concerns about not receiving timely legal assistance from that office under the current acting director. Several departments have requested and subsequently received legislative and Governor's approval to retain their own counsel, legal counsel. My staff has taken the pains of documenting from 1995 to the present, the many departments within our State government who have requested legislation allowing them to retain their own legal counsels, and they include such departments or agencies as, (1) the University of Hawaii (I remember that one last year, basically, a very, very strong fight by the University of Hawaii, all parties involved be it in terms of the President, the Board of Regents which are appointed by the Governor, the faculty members, the students, the community at large); (2) the Office of Consumer Protection; (3) Ombudsman, which represents the public in terms of the concerns out there; (4) Department of Taxation; (5) Insurance Division of the Department of Commerce and Consumer Affairs (now this Insurance Division represents our consumers out there and protects the consumers from illegalities of insurance companies); (6) This year, the Department of Education, which I fully support, because why? Our young ones are crying out there for legal assistance which we are not providing at this time during our present course of direction.

"Once again the Governor has approved departments and agencies to hire their own legal counsel. By the way, we did not cut the Department of the Attorney General's budget when we gave these positions of legal counsel to the other departments. We enabled her to keep on this legal counsel, whereby taking care of the concerns. But these concerns, as I mentioned in terms of servicing the public, are not being taken care of in terms of a timely manner at this time.

"Once again, these departments would not request to retain their own counsel if the Office of the Attorney General was managed efficiently. All these separate requests add to the cost of State government. And one wonders in the general public, why has the cost of government increased? Well, mainly so because government productivity and efficiency is bad. And here, we have to vote on confirmation of management. If I am to vote on a 'yes' for Margery Bronster, I'll be guilty of enlarging government due to the lack of productivity and efficiency.

"Based primarily on these occurrences, we can only conclude that the Office of the Attorney General needs to be reorganized from a management standpoint in order to increase productivity and efficiency. Delivery of services and support of state government, to Legislators and to the public is most inefficient at this time. It takes months for a simple response. What needs to be done, and I did talk to the Governor in doing so, is to establish time tables to get responses. I have problems within my office whereby from experience I've asked for legal opinions and it has taken months. Now, I get repercussions from my constituents because I'm supposedly not doing my job, but I must wait, unfortunately, for the Attorney General's office to respond to the legal concerns I have.

"The Governor has acknowledged, through his lieutenants, that there is a problem with administration at the Attorney General's office at this time. We had offered to consider alternatives and have asked for a plan. However, to this date we are not in receipt of a plan.

"This has become a very personal and emotional issue to many of our constituents and the public in general, and we have personally received telephone calls from our supporters voicing support of Ms. Bronster. And I think she appreciates that. I think she appreciates that in terms of what she's doing on the legal side, but people are not emphasizing the management side. We realize that people are basing their support for Ms. Bronster essentially on her willingness to take on the Bishop Estate. However, it is her management of the Office of the Attorney General that is in question.

"The current acting Attorney General lacks the principles of management, which consist of: (1) unity of command; (2) delegation of authority; (3) acceptance of responsibility; (4) knowledge of the job; (5) leadership; (6) integrity; (7) ability to make sound and fair decisions; (8) stimulating a positive work environment; (9) pride in quality job performance; (10) teaching employees; (11) seeking easier and better ways of doing work; (12) delivery of service with available resources; (13) cost control and cost reduction of budgetary responsibility; and of course, my favorite as you have all heard me say this year time and time again, and I realize that people have laughed at me in the past but I'm very serious about it -- goals and objectives with an action plan to reach those goals and objectives and, essentially, a timetable with that. And this is a problem that we have in government. Currently, we do not have goals and objectives and especially, if I may state, in the Attorney General's office.

"As you all know, and many of you laughed at me out there in the community, that when I had marathon sessions of two days with all the departments, all 15-plus departments and agencies, on what are their goals and objectives and their action plans, it was actually very educational for me. I found out that the Attorney General's office only has surface goals, no objectives, no action plans, no timetable. And it bothers me. Goals and objectives and action plans are used to develop a budget. And our responsibility here in the Legislature is to develop a budget. Right? How are we able to develop a budget without goals and objectives and action plans? It's very questionable.

"And let me give you a personal experience and I'm very happy about it. When I first got married 11 years ago, I told my wife that we're going to buy a house, and we're going to buy a house in two years. And we were able to do it because we budgeted correctly based on our goal. So I was able to buy the house through my own means without any assistance. And quite frankly, I'm very proud of it. And that's how much goals and objectives mean to me.

"The many phone calls have encouraged us to re-examine our position. However, I for one am more convinced than ever that we should oppose Ms. Bronster's reappointment. Within the last few days, the phone calls have evolved into threats, which have further reaffirmed that I am doing the right thing. I

forgive those in the community who have threatened me, and there was a former police officer that called me about eleven o'clock about a day-and-a-half ago and threatened me. But I have to forgive those because of their state of mind -- emotionalism based on the Bishop Estate. I have to deal with this issue on a non-emotional state of mind, and therefore I'm trying my best to do so.

"By the way, for those of you in the community who will ask the question and have asked me personally, Where's the Rod Tam that's an independent person, a liberal person who votes for rational reasons? Well, I'm still here. Quite frankly, I would not be here at this time. No. Economically, I'm suffering. I qualify at this time for welfare. Believe it or not. Economy is difficult but I'm willing to make a tough decision here. And by the way, I didn't get to this position because I took the easy way out. Some of you heard about the experience I had with Huna Street, whereby opposing the old boys' machine, a 122-unit condominium built off of Kuakini Street. I was threatened constantly for two years, but here I am because I believe what I'm doing is right.

"Also too, there's one issue here today and I thank my colleagues for resolving it. We concluded in conference this morning. That is the Aloha Tower Marketplace. We stood up to the old boys whereby we decided not to give in politically. And so I appreciate my colleagues for supporting that.

"As a State Senator, the public expects that we will neither be influenced by political pressures or the emotions of the time. Therefore, we must remain objective in this matter and vote what we know to be in the best interest of the public. In closing, my greatest concern is a lack of the formation of goals and objectives with the action plans in the present and future operations of the Office of the Attorney General. We legislators must depend on goals and objectives and action plans to budget for public services.

"I previously had a public hearing on Senate Resolution No. 70 and the first Deputy Attorney General attended and he even admitted this year there is inefficiency and unproductivity in the Attorney General's office at this time. And I asked him in terms of what are we going to do about it. He said, I don't know. I said, well let's work together on it, but do you have an idea? He said, I don't know. Now, that's the kind of leadership that we have in that office and it worries me. It really does.

"We have a hard time putting the budget together today. How are we going to put this budget together? I don't know because we don't have any direction from the administration. If we go overtime this session, quite frankly we're all at fault. But basically, let me say this, we don't know what the administration's priorities are. What are their goals and objectives? There's no action plan at hand. The public is demanding that the State government be more productive, efficient and accountable in spending tax dollars.

"Therefore, Mr. President, I am voting against the confirmation of Ms. Bronster as Attorney General in the State of Hawaii. And if I may say, I'm sorry, Governor Cayetano. It's nothing personal against you but remember our conversation on Monday evening I had mentioned to you of my concerns, serious concerns. I mentioned why not appoint Ms. Bronster as a special counsel to take care of the Bishop Estate and other cases in court so that we don't go astray, and your response was to me, vote up or down and we'll take care of it after confirmation in terms of productivity and efficiency. No presentation of a model. That worries me. Basically, are we going to continue what we're doing now? I just wanted to see a simple model and I couldn't get it.

"Lastly, my message is that I use this motto: 'Do not be afraid of threats, for remember, fear is fear itself.'

"Thank you."

At 1:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:38 o'clock p.m.

Senator Sakamoto then rose to support the nominee with reservations and said:

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

"Mr. President, I've had some of the similar concerns mentioned by different members of this body today, especially the management type of concerns, and I've had the opportunity to look into some of these issues.

"Firstly, on the Felix issue, which certainly is a concern to all of us, part of the response from the Attorney General's office, particularly regarding that issue, is related to providing attorneys. I know there are some problems, but I'd like to just summarize and not go into the whole letter. Part of it says that had attorneys been provided at all of the different evaluation processes, their feeling was that, that probably might 'only serve to increase the adversarial nature of the process.' As far as for me, I'm not in favor of having attorneys fencing with attorneys in the Felix case, when what we're all out to get is the best care for our children. We need to spend the resources on the children, not to have attorneys fencing with other attorneys.

"In regard to some of the unfortunate feelings of being liable, by people on the front line, as the Senator from Waipahu mentioned, in this letter it indicates that unfortunately there are some consultants from the Mainland that helped to train some of the school officials, and it says, 'Unfortunately, those consultants did not know or understand that school officials in Hawaii are state employees and enjoy the protection of the state's sovereign immunity, unlike educators in other states who are employees of school districts and are not school officials.' So, Mr. President, unfortunately, many people did suffer unduly or did fear unduly, but I believe, with this letter and with the concerns raised, those issues will be resolved. We are not about going backwards. We are about going forward, Mr. President.

"And relating to the concerns mentioned, everybody is concerned about Felix issues. Related to the staff, related to concerns about micro-management, etc., I was really surprised that I received, and I believe some of my other colleagues here received this petition. This petition is not members of the community, but this petition is from 'We are the employees of the Department of the Attorney General, State of Hawaii, and we support the confirmation of Margery S. Bronster as Attorney General.' So certainly, this is 'make a difference' day. Where else in this State have you seen employees willing to say we stand behind our boss? (Applause.)

"We can all agree that there were problems in the past. I myself had concerns, but certainly today is 'make a difference' day. Today, is 'make your vote count' day, Mr. President. Each of us has a vote to count and certainly they will be counted.

"Unfortunately, as the Senator from Mililani mentioned, this session comes down to the Bronster session. So here we are in the Bronster session when we all said at the beginning of this session it was the economy; it was education; and here we are -- the Bronster session.

"All I can say is, each person, no matter what they said prior, needs to think about what we will be, not tomorrow, not next year, what we will be maybe five years from now, because this will not be forgotten as the Bronster session. And really our job here, our ethical job, is to do what is best for the people of Hawaii.

"Thank you, Mr. President."

Senator Anderson then rose to oppose the nomination as follows:

"Mr. President, at this time I will be voting 'no.'

"I think it's most impressive to have this many people here. I don't think I've seen almost as many since we did the same sex marriage and our faxes were going crazy and the economy was still down at that time. It hasn't improved.

"I think that you've all heard the problems that we're having with education and the Waihee/Felix problems within the system. I think that you've heard all of the good things that the AG has done, like the gasoline, having the gas tax go down. Well, in reality that wasn't the Governor's nor the AG's position. It was Keoni Dudley when he ran for lieutenant governor. That was his issue and he fought it every day. Then they picked it up. Because the Mainland was so dominantly lower in gas costs, Keoni picked it up as his issue, and then they ran with it.

"While we're here, I'm going to say that there were two questions that our Senator from . . . Senator Matsunaga, I keep forgetting which district everybody is from . . . what do we think as Senators and what do we think for the people. Well let me tell you, I didn't see one Hawaiian down here, calling me up and raising hell when the Governor of this State got rid of Kali Watson as a director. And we as Hawaiians at the Association of Hawaiian Civic Clubs convention gave him a standing ovation for a job well done, and when he was fired it was stated he didn't give me the Hawaiian vote the way it should have been. I didn't hear too many Hawaiians grumbling at that time and I thought that was unusual.

"The ceded lands, some people don't understand what we're doing. We develop state land or lands that we buy and develop and there's revenue. And then on the ceded lands next door, we build schools, we build hospitals, and there's no income for the 20 percent. So now they're fighting in court, but the AG says you can sell land and you can do other things.

"There was a group, yesterday, that came to see me and they're worried about the trustees and the pay that they're getting. And again, ladies and gentlemen, that's our fault. We did the land reform bill. In the old days, the Bishop Estate was land-rich, money-poor. They couldn't even pay their teachers. What they did is say, 'Hell, hold on to your paychecks until another week when we have enough money in there.' Nobody really cared in those days. Once everybody said we want that land and we passed a law for the land reform act, they had to sell Bishop Estate lands, Campbell Estate lands, other estates. They were working on a commission and their commission is fat only because we made it that way.

"I look at every Hawaiian issue and I'm Part-Hawaiian. And when it comes to Bishop Estate and you have land that is appraised like Ka Iwi Shores for \$80 million, and then we take it for \$11 million, that's a loss, ladies and gentlemen, of \$69 million. And then when they take my tax money because the trustees are making too much money and they say we're gonna fight this, I'm losing out as a Hawaiian and I'm losing out as a taxpayer. And I don't think that's fair.

"When I fight for you on Waiahole/Waikane, when we were doing the Waiahole Ditch, water that was stolen years ago, got cheap pay for the people who ran plantations, AmFac made a lot of money. When we bought that ditch, we gave them \$10.5 million and I said let's lease it; let's put it under condemnation; let them give it to us. There's all kinds of things that could have been done, but no, we're going to buy it. So I wrote the AG a letter saying 'On behalf of the constituents, can I sue the Governor.' It took months before I got any reply that they didn't break any laws. And when I read the committee report, we have laws on the books that circumvented everything that the Governor needed to do to give AmFac \$10.5 million. The

Waiahole Ditch now costs you over a million dollars, per year, for repairs and maintenance.

"That's my job here. I'm here to represent you the best possible way that I can. That's why they make us State Legislators. They don't say you're the Senator from Waimanalo/Kailua. You're a State Legislator.

"When I have people from the neighboring islands call me and tell me that they're not getting sufficient help from the Attorney General's office in those dads that don't pay support. When you can have them say that they're not getting the proper feedback on child abuse, on legal areas that they're asking, I owe them to follow up on that. If you had to wait four months for me to give you an answer to some of your questions, you'd tell me that I'm lax and not doing my job and what a rotten person I am. But it's not my fault if we can't give you the information as readily as we'd like to.

"We've said before, for education -- two attorneys; for Bishop Estate -- seven to nine . . . 171, even though my colleague corrected us and said that the AG said she only has 161. We also allow her to hire outside attorneys. Ladies and gentlemen, you come here, you're looking at one issue. As I stand before you, there are many issues. We have put in many bills to help our economy and nothing has happened and I don't get the calls and the need from you folks.

"Now, I listened to the Attorney General this morning on television and they were talking about conflicts and how everybody, as far as she is concerned I guess, should state their conflicts. Part of what I say, I think it's maybe the media's fault that they don't tell you how often I stand on this floor and say my wife works for Bishop Estate, but she had 41 years with Hawaiian Airlines. And since the 70's I've had to stand on this floor and say I had a conflict of interest, Mr. President, my wife works for Hawaiian Airlines. When I fought Bishop Estate, some of the very people today said you have the audacity to fight Bishop Estate. Who do you think you are? Today they're saying, Who do you think you are, sticking up for Bishop Estate? I'm sticking up for programs that Hawaiians have lost -- program after program.

"When I first got elected, Kinau Kamalii was our Minority Leader in the House. We had 28 Hawaiians. Today, I'm the last in the Senate. I think there's four or five. Everybody says you have too much. But you really don't look at the issues and that's why I have to stand here and fight on a cultural part of it, and then I have to look at the needs of the people and where we're squandering your money. And it's been 40 years. And none of you seem to really care that the educational system has second to none. I don't think that there's really second to one, because we're the worst. We're going down hill.

"A conflict of interest that I mentioned earlier, Senator Matsunaga works at the same or, I guess, with the same law firm. I think that's a conflict. I think that it's a conflict that I didn't even know that Margery Bronster wasn't Bronster. I didn't even care. She was the AG. Just recently that I naively found out that her husband owns Servco. That's Bishop Estate land. Is that a conflict? Or is it a conflict that there's almost non-bid contracts for that company? That's a conflict. They gave the Governor \$6,000, over and above what they should have, and what happened? The Campaign Spending said well, like other corporations they were late and they filed late. I don't think that that's fair.

"And the last conflict that I have, ladies and gentlemen, this morning my son-in-law received a call from the school. He works up there as a maintenance person. He used to work for me until my business was going down the tubes. And my daughter's been there a long time. She used to be a receptionist. Now she's a secretary for six different people. I don't think that their salary is probably one combined of what some of you make. But they were told that if your father-in-law doesn't vote the way we want, you'll lose your job. And let me

tell you, ladies and gentlemen, that makes me angrier than hell. I don't care what you do to Whitney Anderson, but don't you pick on my family! Because I've signed Ethics Commission reports year in and year out. And if these people down here who work for the media don't print it often enough, then that's not my fault. I have never denied who I am, what I am, or what I intend to do.

"Thank you very much for listening, Mr. President, and thank you ladies and gentlemen for coming."

Senator Nakata rose to speak on the appointment and said:

"Mr. President, I rise to speak on this appointment."

The President interjected:

"Are you for or against?"

Senator Nakata replied:

"I will get to that. I have agonized over this decision like I've never agonized over any decision in my life.

"Shortly after the Governor's Message came down, I started saying that I would be voting against this nomination because of the firing of Bill Tam at the water commission, under conditions which I didn't think were proper. But that was to be just a protest vote. I did not imagine that we would be in this kind of situation that we are today.

"Subsequently, I started to change my mind, as most of you in this body know, and I started to change my mind because I liked what she was doing with regard to the Bishop Estate -- not the estate, the trustees -- let me be clear on that -- not the estate, the trustees. I have been fighting with this entity for nearly 30 years of my life over water issues, over land issues, planning and zoning issues.

"As the discussion became more and more heated, I tried to back away from commitments I had made to vote against this nomination. I did. I went so far as to commit, also, that I would vote for it, but as I was making my way to the chambers for this session, I was reminded again of that water case. This was the biggest case that has been before the Water Commission in its brief history. Mr. Tam is someone who had taken, with another deputy, the biggest case in this State's history -- the Hanapepe Water Case. They took it to the U.S. Supreme Court, and they won.

"As I was sitting here listening to all of the speeches, details of the firing kept running through my mind. The circumstances were these. When that Waiahole Ditch case started, Ms. Bronster chose to argue the State's case before the Water Commission. Her deputy, Mr. Tam, her employee, was counsel to the Water Commission. I do not believe that she should have entered the case in that way. She could have asked one of her other deputies to handle the State's case, and when I asked her about it, she said that the Governor asked her to enter that case. Remember now, after being confirmed, she is independent of the Governor. He cannot fire her. It is only this body that can fire her.

"Having argued the case under circumstances which she said were not related to this case, she fired him. I believe that as soon as she entered that case, the entire supervision of Mr. Tam should have been passed on to her First Deputy, but the firing was done by her. Granted, Mr. Tam can be a prickly person, but he is a dedicated civil servant. He missed a court appearance on, I believe it was, Maui at 9:00 a.m. one morning. He did call the Judge at 8:00 a.m. He accepted the fines that were imposed on him. The reason he missed that court appearance was a serious accident that happened to his girlfriend the night before.

"The timing of the firing is what now bothers me as I stand here. It was as Mr. Tam was preparing the position of the Water Commission on the Waiahole Ditch case which, if you recollect, was a massive case -- 27 parties involved, 27 attorneys, boxes and boxes of testimony. The Water Commission begged her to let him continue. Then they begged her to let him just finish out that case. She refused. The Commission did not have confidence in the deputy assigned because of the massiveness of the case and because that deputy had not sat through the hearings. My suspicion is that Dr. Miike, who was on the Commission at that time and also has training as an attorney, probably worked on the Commission's position. This incident raises questions of conflict of interest -- the timing does.

"And so for that reason, with apologies to Ms. Bronster, with apologies to others who I may have told that I would be voting up, I will have to vote against this nomination.

"Thank you."

Senator Matsuura then rose in opposition to the nominee as follows:

"Mr. President, I rise in opposition to this nomination.

"Like many of you, I also received a lot of threats. But what really disturbed me this morning was when I turned on the television and I actually saw a threat from the Attorney General herself against one of our colleagues. When she, on the morning of her nomination, told the press that she will now proceed with a criminal proceedings indictment against one of our colleagues, that is not only a threat against him, it is a threat against us as a Senate. It's for that reason, I'm strongly opposed to this nomination.

"Thank you."

Senator Buen also rose to oppose Ms. Bronster and said:

"Mr. President, I rise in opposition on the confirmation of Attorney General Margery Bronster.

"For more than weeks, I have been bombarded with phone calls, letters, media interviews, faxes, e-mail and visitors, regarding Ms. Bronster. Many have been for her confirmation, while many have been in opposition. And I, too, have received personal insults and direct innuendos of corruption, threats and other vile remarks which had no foundation or facts. Nevertheless, Mr. President and colleagues, I have welcomed and given everyone an opportunity to voice his or her opinion.

"I wish that these calls were to share ideas on how to help families and children and how to improve our economy -- not calls on Bishop Estate matters or emotional calls.

"Mr. President, I have many concerns about Ms. Bronster's performance in running the Attorney General's office. The media has elaborated those concerns so I will not dwell on them. However, as a member of the Ways and Means Committee, I have noted in our committee hearings this year, that the Department of Education (DOE) came forward and told us that only two attorneys were assigned to them. This untenable situation has already been mentioned because my other colleagues have also heard these same statements as members of the Ways and Means Committee. And as the Senator from Waipahu/Pearl City had said earlier, many teachers were concerned about the lack of legal help from the Attorney General's office. Mr. President, at this time when we're crying for special education teachers, our own hometown, local teachers, special ed teachers are leaving for the Mainland for fear of liability suits of not having legal representation. I have had calls from my friends and neighbors from Maui telling me that they have not had the legal representation when they go into meetings with the special ed children's parents. These parents bring their own attorneys

while our teachers don't have any legal representation. I think there is a liability here. And I asked Dr. LeMahieu, yes go down and talk to the teachers. Get it from them. This situation along with requests from many departments to hire their own attorneys bring about many concerns about her managerial incompetence in discharging her duties.

"The decision not to confirm Ms. Bronster was mine and mine alone. Never was I influenced by anyone. I based my decision on testimonies, hearings and other research which I did on my own.

"In closing, Mr. President, I stand by my decision to oppose Ms. Bronster's nomination.

"Thank you."

Senator Chun Oakland rose to support the nominee and said:

"Mr. President, I speak in favor of this nomination.

"I would like to ask the Clerk to insert the words of the Senators from Palolo and Hamakua into the Journal as if they were my own.

"I believe Margery Bronster has demonstrated great courage. Her perseverance and dedication to public service is very admirable. We have much work to do as a State. I have had very positive working relationships with both Margery Bronster and her department despite the increasing workload and decreasing resources we have given to her department. I look forward to working with Margery Bronster, the Department of the Attorney General and the community to continue to deal with very critical issues.

"I believe that the Attorney General's office, in the four years that I have worked with her and her department, have worked very diligently and tried to address the challenges of providing the legal expertise to afford educational opportunities for children with mental health service needs through the Felix consent decree. But I, like many colleagues, feel we must do more in this area.

"I appreciate the support that she has given with regards to the Hawaii State Hospital, the increase in cases of elder abuse, neglect and fraud in the State. The services that we need to provide to people with developmental disabilities, the increase in cases that we've seen in child protective services -- the workload is so great. We need to do a lot more in the area of child support enforcement and that is an area that I would like to see much more focus on. I appreciate the work that has been done in the area of the tobacco settlement and medicaid fraud.

"Last, but not least, I do believe that we, including the Attorney General, must work more closely and cooperatively with OHA and the Department of Hawaiian Home Lands, because we do need to fairly address the issues of our Hawaiian people.

"On that note, I hope that we do support this Attorney General. Thank you."

Senator Chumbley then rose to support the nomination of Ms. Bronster and said:

"Mr. President, I rise to speak in full support of this nominee with no reservations whatsoever.

"Mr. President, I've listened to the many issues raised by the members thus far. These same issues have been raised in the past few weeks, both in our confirmation hearing in the Judiciary Committee and in the media. I believe that there has been sufficient public debate and will not attempt to address these individually.

"However, Mr. President, these issues share one common weakness -- none of them, none of them rise to the level of justifying a 'no' vote. If any member believes that any one issue is problematic, then the member should vote 'yes, with reservations.' The only reason to vote 'no' is that a member wants to stop or remove Attorney General Margery Bronster.

"I would like to remind the members that our task today, pursuant to Article V, section 6, of our State Constitution, is to advise and consent to the gubernatorial nomination. I have heard no compelling arguments as to why we shouldn't choose to consent to this nomination. I wonder if some of our colleagues are confused, because in this same section of our Constitution, we are also empowered to remove the attorney general as the chief legal officer on this State. However, that is not what this vote is about today -- we have not been asked by the Governor, nor by the people of this State to remove the Attorney General. Quite the opposite, Mr. President, we have been asked by the Governor, with the support of the people of this State, to consent to this nomination today.

"Two years ago, when voting on another highly debated issue, I stated that my vote was guided by our oath of office, which requires us to uphold our Hawaii State Constitution. Today, I feel equally compelled to follow that pledge. I am troubled that some of our members may be using our constitutional authority and responsibility as an opportunity to cast a vote in order to simply send a message. One message might be to the administration that 'we don't like your politics.' Another message might be that 'we are protecting our friends in high places.' Yet another message might be to members within our own body that 'we don't agree with your leadership style or actions on other issues.'

"Mr. President and colleagues, I believe that using our constitutional authority to 'send a message' is an irresponsible, an irresponsible exercise of that authority and one which lacks accountability -- which raises the final point which I would like for all of us to consider. In exercising our constitutional authority, to whom are we ultimately accountable? I believe that we are accountable to the people of this State. And based upon what I have heard from the hundreds of telephone calls, faxes, e-mail messages, and letters, just as my colleagues have, Ms. Bronster has the support of the people of our State of Hawaii. From what I have read and what I have heard from recent media accounts, Ms. Bronster does have the support of our people. Who am I, or who are we, as a body, sending a message to, when we take vote? We are sending a message to the people of our State.

"And I want the people of our State to know that I'll be voting 'yes' to support Ms. Bronster.

"Mr. President, I would also like to clarify several points that were made that I think needs some clarification. There was a previous statement that we have no ability to remove the Attorney General. As I stated, Mr. President, Article V, Section 6 of our Constitution does empower this body, the Senate, to remove the Attorney General from her position.

"The second point, there was a comment made that maybe the Governor should withdraw and then reappoint her as an interim AG. That's unconstitutional. Once this body has received the Governor's Message, we're compelled to vote either up or down. The Governor can withdraw that nomination, however, under the Constitution, the Governor cannot reappoint her as an interim Attorney General. This was similar to the Greg Pai situation.

"The third point is, I don't believe that Ms. Bronster has the character that would retaliate against someone simply because there is an unpopular and legal decision to be made that would go against some member who may be voting against her.

"Fourth point, there were comments made about the threat of lawsuits to teachers. I want to read from an Attorney General's

letter dated April 27: 'It is critical to the State's successful implementation of the Felix consent decree, that the record be corrected and that the teachers and all who are involved in the implementation know that the legal support is available for the effort. For the record, of the approximately 15 lawsuits currently pending involving the Department of Education Special Education Program, none of these suits, none of these 15 suits are against teachers. All suits properly named either the DOE or the educational officials, and they, the teachers, are all being fully represented by the Attorney General's office.'

"Fifth point, Mr. President, Mark Fukunaga gave a legal contribution to Governor Cayetano in his campaign. He gave him the maximum contribution of \$6,000. He was negligent in reporting that contribution in a timely manner. The contribution, however, was not illegal. He was as negligent as hundreds of other companies and corporations throughout this State were because of a change that we had made to the campaign spending laws.

"Mr. President, I support Margery Bronster for our Attorney General and I ask that at the appropriate time, Mr. President, may we have a roll call vote.

"Thank you."

Senator Kanno rose to speak against the nominee as follows:

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

"Mr. President, I'd like to begin by commending Ms. Bronster for her work on the Bishop Estate investigation, the tobacco lawsuit and the gasoline pricing lawsuit. With respect to these three areas, her courage and leadership must be commended.

"There are, however, a number of critical issues that have been brought forward about Ms. Bronster.

"As the State's chief legal officer, we need the most highly qualified individual whose opinions are respected by the courts, State agencies and those in public service.

"The legal counsel she provided to the Office of Elections added to the public mistrust of our election system. When a large number of spoiled ballots were counted in one Waianae District, she blamed the low education levels of the people of Waianae.

"When the blank ballots were an issue on the constitutional amendments, she issued an opinion that there shall be a constitutional convention. A legal challenge in the courts resulted in the Attorney General and the State losing on the matter.

"Her role in the ceded land dispute and the Hawaiian Home Lands settlements have angered many in our community.

"In the book purchasing controversy with our library system, Ms. Bronster defended the State and lost. It was found that the State didn't comply with the State Procurement Law.

"The Felix consent decree is one of the most troubling issues affecting all of our schools. Out of the 161 attorneys in her office, only two are assigned to work on Felix. School administrators and teachers are left feeling they have been left hanging out to dry.

"Along with Felix, the State is also struggling under a consent decree for the State Hospital. As the State's chief legal officer, it is her obligation to ensure compliance with these consent decrees. Failure to do so means potential risks of further court infractions and millions of dollars in State expenditures.

"State agencies have indicated a difficulty in getting timely responses from the Attorney General.

"In an audit of the Health Fund released yesterday by the State Auditor Marion Higa, auditors found that 11 of 13 contracts that should have been effective from July 1, 1996 to June 30, 1999 have not been signed yet. According to the Health Fund, the Attorney General's office did not approve signing the contracts. These 11 contracts represent a cost of approximately \$200 million for each year. The two signed contracts equal \$3.2 million. The audit indicates, 'its failure to properly execute the contracts not only means the enforcement of contract provisions is unlikely but also that both the Health Fund and the State are at risk if contractual disagreements arise.'

"It has also come to my attention that the Budget Director and others have not complied with opinions issued by Ms. Bronster.

"In deciding on Ms. Bronster's nomination, I believe we must consider the good that she has done with the Bishop Estate investigation, the tobacco lawsuit and the gasoline pricing lawsuit. That must be weighed with the concerns that have been brought forward.

"This question about Ms. Bronster needs to be asked: 'Is there someone who is more qualified to be Attorney General?' The answer I have heard from many is 'Yes. There are others who are more qualified.'

"As chief legal officer for the State of Hawaii, we need the most highly qualified person. Someone whose opinions will hold up in the courts. Someone whose opinions will be respected by those in her own administration. Someone who will provide proper legal counsel to State agencies in a timely manner.

"Is she the most qualified? When Ms. Bronster is held to this highest of standards, I have to say 'No, she is not the most qualified for this position.'

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

The motion was put by the Chair and failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Anderson, Buen, Chun, Fukunaga, Hanabusa, D. Ige, M. Ige, Kanno, Kawamoto, Matsuura, Mizuguchi, Nakata, Tam, Tanaka).

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:32 o'clock p.m.

Stand. Com. Rep. No. 1806 (Gov. Msg. No. 146):

Senator Levin moved that Stand. Com. Rep. No. 1806 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of EARL I. ANZAI as Director of Finance, term to expire December 2, 2002, seconded by Senator Chun Oakland.

Senator Tam rose in opposition to the nominee and said:

"Mr. President and fellow colleagues, I rise to speak against Mr. Earl I. Anzai as the State of Hawaii's Director of Finance.

"I make it a practice, if I may before starting, to always give justification in terms of my vote. I've learned that rather than letting negative perceptions be available in people's minds, you might as well make it clear in people's minds, because the

human mind is more negative than positive. And so I had to vote in terms of what is the rational basis. So here it goes.

"My opposition is based on the basis of the acting Finance Director not only representing the Governor but also representing us, the Legislature. He's only recommended to us for confirmation. The Legislature represents elected Representatives and Senators who embrace our form of government called democracy. Democracy embraces the public hearing process which we go through painfully for 60 working days, away from our families and so forth, eating improperly, eating at 12 o'clock midnight, which I do for dinner many times and many of you do also.

"Democracy embraces the public hearing process, thus what it means is public involvement. Unfortunately, I'm not trying to criticize Mr. Anzai, but he has stated, publicly, his opposition of the public hearing process in disclosing proposed budget allocation restrictions by the Governor. Democracy is very dear to my heart. I was raised on that basis. They call it brainwashed or whatever you may call it, but that's what I've learned through our public educational system. If I'm wrong, then we're teaching our students, our young ones, wrongfully. But I don't think so. This is what we all personally enjoy. I've been to other countries and, if I may say openly, I've been to countries where they have communism, and believe me, when you are in a country of communism you feel like everybody is watching you all around. You may be a diplomat there representing, say in this case, Hawaii, but you feel very, very cautious in what you're doing and you're very, very cautious in what you're saying also too. But I've been lucky when I traveled abroad, and things have gone smoothly in that regard.

"We are public servants of Hawaii's citizens and are obligated, obligated to protect our form of government called democracy through the voices of Hawaii's citizens. You know, I take it very seriously when we're sworn into office. I remember at the start of this legislative session, I had to take the oath of office to abide by our form of government called democracy, the open hearing process. And it's not an easy process, but it invites comments whether they be for or against, and I appreciate that process and we should really embrace it, whether it be from us as Legislators or from administration, all government officials across the State of Hawaii. And for us to deny that process to the citizens of the State of Hawaii is wrongful. One should give up their citizenship, if I may say harshly.

"Also, the second reason of my concern is that the acting Finance Director opposes what has been very dear to me in working all these years -- the use of the federal impact aid money for our students. We receive money from the federal government on a yearly basis. I believe this year we're going to receive about \$25 million. But you know what has happened to this \$25 million over the years? When we receive it, respectively, it is co-mingled into the general fund. It is not used for education which is supposed to be above that of the general funds we budget for education. And what has it been called? Whether it be the administration in the past of Ariyoshi, administration of Governor Waihee, or even the current administration, they say it is a reimbursement. Yes, technically, it is a reimbursement, but it's what the federal calls it. But they didn't mean for it to intend that for every dollar that we receive from the federal, we're going to return back the money to the general funds. Their intention was that the federal imposes a burden because they have employees of the federal government who have children who go to public schools, and this is their way of saying, well, let's give a helping hand to the states. Put in more money for education. Take care of the needs, the repairs and maintenance of the schools. Many of you know that is very dear to me -- taking care of safety and health, textbooks, computers, and whatever. We need those things. Otherwise improper education occurs.

"But what has happened, as I stated, every dollar that comes in goes back into the general fund. So our students in the

public schools do not get to benefit from that. And I have time and time again, over the years, stated that this is wrong, but time and time again, especially currently, the present Finance Director has stated no. The terminology for reimbursement is that the dollar we receive from the federal shall go back into the general fund, and I really believe that's wrong. And for that reason I'm voting 'no.'

"Thank you."

Senator Fukunaga also rose in opposition to the nominee and said:

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

"Mr. President, the past four years have been enormously difficult financial times for the State of Hawaii. They require us to exercise extreme care in identifying ways in which we may balance the State's budget as we seek to rebuild the State's economy.

"Let me provide just one example of the reasons for my opposing the nomination of this State Budget Director. In late 1996, the nominee requested an Attorney General's Opinion about whether he could include budget restrictions in the State's financial plan, pursuant to Hawaii Revised Statutes, Chapter 37. On January 13, 1997 the nominee received the Attorney General's Opinion which reaffirmed an earlier 1983 Attorney General's opinion which stated, in essence, that budget restrictions could not be used to balance the State's financial plan.

"Relying on the State Constitution and the Hawaii Revised Statutes, the earlier opinion said, in part: '... the Governor cannot substitute his judgment for that of the Legislature by reducing expenditures, for that would result in an abuse of power by the Governor of the executive spending power. While the allotment system authorizes the Governor to reduce expenditures where unanticipated revenue shortfalls occur, it does not permit the Executive Branch to prioritize authorized expenditures and to reallocate resources, for to do so would be usurpation of the Legislature's appropriation powers.'

"Mr. President, although the nominee received the Attorney General's Opinion that said that he could not balance the budget using budget restrictions, he nevertheless proceeded to do just that in the financial plan that he has submitted to the 1999 Legislature. What this means is that the Legislature cannot properly exercise its oversight role and examine whether the expenditures being proposed are prudent, whether they will ensure effective delivery of services and whether government can in fact remove some of the obstacles that hinder our economic recovery. This robs the Legislature of the opportunity to exercise its proper role of providing oversight over state spending.

"I believe that the development of the State's spending policy represents the most important blueprint for our government's operations. Without an accurate picture of how we are spending public dollars and how and when we will be reducing such spending, I cannot in good conscience support Mr. Anzai's nomination.

"I regretfully urge my colleagues to vote in opposition.

"Thank you."

Senator Anderson then made the following request:

"Mr. President, I have some remarks on my vote that I would like to insert into the Journal."

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

"MR. ANZAI DOES NOT TELL THE STORY STRAIGHT"

"Mr. Anzai described the monies in the highway fund as 'surplus.' The administration proposed transferring funds from the highway fund to the general fund which the legislature subsequently acted upon. Other economists, as stated prior to the transfer, indicated the highway fund will have a deficit in four years and the gas taxes will need to be increased to make up for the shortfall. In short, Mr. Anzai's advice to the legislature led to a raid of the highway fund and the bottom line is that taxes will rise.

EMPLOYEES RETIREMENT FUND

"Mr. Anzai also encourages raiding the Employees Retirement Fund. This year, Mr. Anzai wants to raid the ERS funds to give money to the counties and to pay for school repairs. In 1995, Mr. Anzai was extremely reluctant to reduce the state contribution to the ERS below a 5 percent salary increase assumption in order to protect the integrity of the retirement system, as he stated in a November 12, 1995 Advertiser article. The very next year, he changed his position and presented testimony in WAM supporting a 4 percent assumption. As of this morning, April 28, 1999, it now earns about 3.5 percent down from \$9 billion to \$8.2 billion.

"As he stated in the above mentioned article, 'Raiding the retirement fund would betray public trust. We cannot raid an already underfunded pension system just because it would be an easy way to solve today's budget crisis.' Yet, this is exactly what Mr. Anzai is advocating today.

DETERMINING HAWAII'S BOND RATING

"Mr. Anzai continuously testifies that the Legislature must protect the State's bond rating. The year end balance of the general fund is an important element in determining the State's bond rating and consequently, the interest rate to be paid on bonds sold. In 1995, he advised the Legislature the State must keep 5 percent of the amount of the general fund (\$150 million) to meet the bond counsel's standard. Later, he testified that the State must keep a 2 1/2 - 3 percent or 75-100 million dollars in the general fund or the State would lose its current bond rating. However, when there was a danger the general fund might dip to \$42 million, Mr. Anzai testified that \$50 million in the general fund was safe. This is totally contrary to his own previous statements.

BUDGET REALITIES

"How much is really in the general fund as compared to yesterday or tomorrow? In September 1998, Mr. Anzai announced a state surplus of \$154 million which he anticipated would increase to \$234 million for FY 1999. In fact, the surplus was not due to prudent fiscal management; it was a result of non-funding of State employee raises (\$70m), the payroll lag (\$45m), and raiding of a number of special funds. This is another example of how Mr. Anzai adjusts his statements to the facts at hand. How much will really be in the general fund at the end of FY 1999? Does even Mr. Anzai know?

ARROGANCE

"Mr. Anzai can be non-responsive and in fact, arrogant in committee hearings. Mr. Anzai illustrated this arrogance when he walked out of an important WAM hearing on performance based budgeting. Before the Senators completed questioning Mr. Anzai, he left to testify in another committee.

"In a January 13, 1997 opinion, the Attorney General advised against using spending restrictions to balance the budget. The budget presented was not prioritized and over-sized, contrary to advisement of the Attorney General. When questioned in a WAM hearing as to why he ignored the advice, Mr. Anzai is

quoted as saying that he 'either overlooked it or didn't even consider it. I don't even remember it.' In preparing the Administration's budget, figures should reflect the Administration's priorities and should not institutionalize budget balancing by restrictions and lapsing of funds, but should come up with a balanced budget that's based on forethought instead of afterthought.

"Mr. Anzai is dawdling in his role of reforming the budget process, obviously not taking it as seriously as he should. The 1998 Legislature passed a bill requiring a committee to meet and develop a performance based budget that is transparent and understandable to the public. As a member of the committee and as the State Budget Director, Mr. Anzai has not been proactive in this role.

"Earl Anzai should pursue all of his roles and duties aggressively in order to address the needs of a state that is in increasing economic woes. Time is money."

The motion was put by the Chair and failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Anderson, Buen, Bunda, Chun, Fukunaga, Hanabusa, D. Ige, M. Ige, Ihara, Kanno, Kawamoto, Matsuura, Mizuguchi, Slom, Tam).

At 2:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:46 o'clock p.m.

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for Gov. Msg. No. 236, and the Chair granted the waiver.

APPOINTMENT OF CONFEREES

S.B. No. 1518 (H.D. 1):

The President appointed Senators Kanno and Taniguchi as additional 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. 1518.

S.C.R. No. 184, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 184, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

At 2:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:50 o'clock p.m.

ADJOURNMENT

At 2:51 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 7:30 o'clock p.m., Thursday, April 29, 1999.

FIFTY-EIGHTH DAY

Thursday, April 29, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 7:44 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Toshio Murakami, Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Bunda, D. Ige and Iwase who were 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. 353 to 355) were read by the Clerk and were placed on file:

Gov. Msg. No. 353, dated April 27, 1999, transmitting his statement of objections to House Bill No. 1413 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1413

Honorable Members
Twentieth 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. 1413, entitled 'A Bill for an Act Relating to QUEST.'

The purpose of House Bill No. 1413 is to require the Department of Human Services (DHS) to use actuarially valid risk factor adjustments derived from actual QUEST member experience to modify payments to the various QUEST plans. This bill amends chapter 346, Hawaii Revised Statutes, to require DHS to do the following: (1) conduct an annual review of the risk factor adjustment methodology; (2) include in the risk factor adjustment methodology, after consultation with the contracted health plans, the health characteristics of the QUEST patients being served; and (3) identify those characteristics that are to be considered high risk.

Assuming the existing structure for the methodology remained the same, DHS has no objection in principle to modifying the risk factor adjustments based upon validated data. However, this bill presents severe financial and administrative problems. First, the data must be validated. The process of validating sufficient data upon which the risk factor adjustment methodology may be changed is expensive and time consuming. There is no funding for the contract monitoring and new data collection procedures to be implemented. As a practical matter, therefore, this process cannot be completed in the near future.

Second, a change in the methodology to add health characteristics requires DHS to create an entirely new risk factor adjustment methodology, one for which there is currently no good model. The use of health characteristics as risk adjustment factors is extremely difficult and complicated. There is no consensus among the six existing providers as to the appropriate health conditions to be included. Although at least one state does use health characteristics, that state's experience

with risk adjustment factors is extremely poor, and there is no nationally recognized model upon which DHS can base such a system of risk adjustment.

Third, even if DHS could make the necessary changes required by this bill, the changes would require DHS to cancel the existing contract awards, notice a new request for proposal, and proceed through the procurement process again. DHS has recently awarded three-year contracts to various health plans based upon a specific risk factor methodology that was included in the request for proposal, but the contracts have not been signed yet and will not be effective until July 1, 1999. If this bill becomes law in April 1999, DHS must change the proposed contract language in order to conform to the changes required by this bill. The change in the terms and conditions of the contract will then require that the existing contract awards be canceled, a new request for proposal be noticed, and the procurement process be repeated in order to adequately notice the public as to the changed conditions of the bid. DHS estimates that a rebid would result in a seven-month delay. Any delay in the procurement process will cause confusion and uncertainty among the QUEST recipients.

Furthermore, the rebids are likely to be higher than the current bids. The current bids are below DHS estimates and the savings were reported in my administration's budget message. My administration reported projected savings of \$8.9 million dollars in fiscal year 1999-2000 and an additional projected savings of \$8.9 million in fiscal year 2000-2001. If this bill becomes law, DHS believes that these moneys will no longer be savings and will be needed to implement the new law.

For the foregoing reasons, I am returning House Bill No. 1413 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 354, informing the Senate that on April 28, 1999, he signed into law House Bill No. 1013 as Act 55, entitled: "MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY."

Gov. Msg. No. 355, dated April 29, 1999, transmitting his statement of objections to House Bill No. 1338 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 29, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1338

Honorable Members
Twentieth 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. 1338, entitled 'A Bill for an Act Relating to Public Contracts.'

The purpose of House Bill No. 1338 is to limit the amount of retainage to be withheld by a contractor from its subcontractor on a public works contract to a maximum of five percent of the subcontractor's contract price. This limitation would also apply to subcontractors on public works contracts who subcontract work to other subcontractors.

Historically, the laws affecting public works contracts have always avoided inserting the government into the relationship between the general contractor and its subcontractors. In doing so, the government deals directly only with the general contractor and not with the numerous subcontractors on a public works project. This results in a more efficient and cost-effective project. By mandating the amount of retainage a general contractor may withhold from its subcontractors, this bill interferes with their relationship. In addition, I believe that if this bill is enacted, general contractors may begin requiring subcontractors to post performance and payment bonds for participation in public works projects, which will lead to higher costs of public works projects. Furthermore, if such bonding requirements are imposed on subcontractors by the general contractors, smaller subcontractors will not be able to participate in public works projects, thereby eliminating competition among the subcontractors that would otherwise exist.

For the foregoing reasons, I am returning House Bill No. 1338 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 38 and 39) were read by the Clerk and were placed on file:

Dept. Com. No. 38, from the State Auditor dated April 29, 1999, transmitting the 1998 Annual Report of the Office of the Auditor.

Dept. Com. No. 39, from the State Auditor dated April 29, 1999, transmitting a report, "Financial Audit of the University of Hawaii at Manoa Summer Session Program," (Report No. 99-19).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 733 to 735) were read by the Clerk and were placed on file:

Hse. Com. No. 733, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 1, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 1, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1999.

Hse. Com. No. 734, informing the Senate that pursuant to the disagreement to the amendments proposed to the following House concurrent resolutions and Senate concurrent resolution and the request for a conference on the subject matter of said amendments, the Speaker on April 29, 1999, appointed managers on the part of the House for the consideration of said amendments:

H.C.R. No. 64, H.D. 1 (S.D. 1):

Representatives Garcia, chairman, Kaho'ohalahala, Pendleton.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Bunda, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.C.R. No. 237, H.D. 1 (S.D. 1):

Representatives Ito, Takai, co-chairmen, McDermott.

S.C.R. No. 184, S.D. 1 (H.D. 1):

Representatives Arakaki, Hamakawa, Kahikina, co-chairmen, Pendleton.

Hse. Com. No. 735, informing the Senate that the Speaker on April 29, 1999, discharged Representatives Santiago and Yamane as co-chairmen, and Representatives Arakaki, Kanoho, Leong and Marumoto as managers; and appointed Representative Takamine as lead co-chairman and Representatives Suzuki and Moses as additional managers on the part of the House at the conference on S.B. No. 1518, H.D. 1.

CONFERENCE COMMITTEE REPORTS

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 809, S.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 809, 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. 3 and S.B. No. 809, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 942, S.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 942, 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. 4 and S.B. No. 942, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," 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. 1270, S.D. 1, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 1270, 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. 5 and S.B. No. 1270, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 1307, S.D. 1, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 1307, 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. 6 and S.B. No. 1307, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1091, S.D. 1, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 1091, 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. 7 and S.B. No. 1091, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," 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. 528, S.D. 2, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 528, 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. 8 and S.B. No. 528, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1125, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 1125, 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. 9 and S.B. No. 1125, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," 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. 957, S.D. 2, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 957, 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. 10 and S.B. No. 957, S.D. 2, H.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 Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1262, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 1262, 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. 11 and S.B. No. 1262, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Senator Inouye, 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. 12) recommending that S.B. No. 5, 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. 12 and S.B. No. 5, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," 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. 1036, S.D. 3, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 1036, S.D. 3, 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. 13 and S.B. No. 1036, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to H.B. No. 1178, H.D. 1, presented a report (Conf.

Com. Rep. No. 51) recommending that H.B. No. 1178, 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. 51 and H.B. No. 1178, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to H.B. No. 1296, H.D. 1, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 1296, 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. 52 and H.B. No. 1296, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to H.B. No. 1020, H.D. 2, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 1020, 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. 53 and H.B. No. 1020, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1142, H.D. 3, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 1142, 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. 54 and H.B. No. 1142, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1548, H.D. 1, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 1548, 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. 55 and H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1177, H.D. 2, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 1177, 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. 56 and H.B. No. 1177, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1181, H.D. 1, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 1181, 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. 57 and H.B. No. 1181, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," 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. 1086, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 1086, 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. 58 and H.B. No. 1086, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1028, H.D. 1, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 1028, 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. 59 and H.B. No. 1028, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1711, H.D. 2, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 1711, 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. 60 and H.B. No. 1711, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," 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. 4, H.D. 1, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 4, 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. 61 and H.B. No. 4, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," 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. 500, H.D. 3, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 500, 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. 62 and H.B. No. 500, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 806, H.D. 2, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 806, 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. 63 and H.B. No. 806, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO LAND EXCHANGE," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1844) recommending that the Senate advise and consent to the nominations of JANICE IRENE HANSEN, M.D., and AMY KURAOKA-GOO to the Reproductive Rights Protection Committee, in accordance with Gov. Msg. No. 285.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1844 and Gov. Msg. No. 285 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1845) recommending that the Senate advise and consent to the nomination of JOYCE INGRAM-CHINN to the Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 298.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1845 and Gov. Msg. No. 298 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1846) recommending that the Senate advise and consent to the nominations of KATHLEEN DELAHANTY, JOYCE O'BRIEN and KHEN SEE ANG, M.D., to the West Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 299.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1846 and Gov. Msg. No. 299 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1847) recommending that the Senate advise and consent to the nominations of WAYNE M.T. LU, NORMAN H. OKAMURA, Ph.D., and B. MARTIN LUNA to the Board of Directors of the Hawai'i Health Systems Corporation, in accordance with Gov. Msg. No. 335.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1847 and Gov. Msg. No. 335 was deferred until Friday, April 30, 1999.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1848) recommending that the Senate advise and consent to the nomination of RICK EGGED to the Barbers Point Naval Air Station Redevelopment Commission, in accordance with Gov. Msg. No. 273.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1848 and Gov. Msg. No. 273 was deferred until Friday, April 30, 1999.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1849) recommending that the Senate advise and consent to the nomination of RICHARD L. HUMPHREYS to the Board of Trustees, Employees' Retirement System, in accordance with Gov. Msg. No. 218.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1849 and Gov. Msg. No. 218 was deferred until Friday, April 30, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1850) recommending that the Senate advise and

consent to the nominations of RUDOLPH E. AHLO and DAWN L. HIRAI to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 312.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1850 and Gov. Msg. No. 312 was deferred until Friday, April 30, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1851) recommending that the Senate advise and consent to the nominations of RICHARD M. FUJIE, D.V.M., Ph.D., and LISSA W.G. KAM, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 320.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1851 and Gov. Msg. No. 320 was deferred until Friday, April 30, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1852) recommending that the Senate advise and consent to the nominations of BARBARA K. IDETA, R.N., STEPHEN A. KULA, Ph.D., SANDRA MARIE MYERS, L.P.N., and KENDALL DEBORAH SHARPLESS, R.N., to the State Board of Nursing, in accordance with Gov. Msg. No. 339.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1852 and Gov. Msg. No. 339 was deferred until Friday, April 30, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1853) recommending that the Senate advise and consent to the nominations of MEMITO N. ABLAN, JUNE J. NAKAMURA, MAILE V.O. ROMANOWSKI, ISOO OSHIMA, KENNETH T. ONO, ANDREW L. NICKLES, JAMES E. COON, ROY SHIMONISHI, DENISE WALKER, ANN B. LEIGHTON and TIMOTHY MOORE to the Small Business Regulatory Review Board, in accordance with Gov. Msg. No. 343.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1853 and Gov. Msg. No. 343 was deferred until Friday, April 30, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1854) recommending that the Senate advise and consent to the nominations of MARION M. JOY, ROSE MAY ENOS-KU, LUCY M. AKAU and CANDACE K. LEE to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 308.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1854 and Gov. Msg. No. 308 was deferred until Friday, April 30, 1999.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 1855) recommending that the Senate advise and consent to the nomination of SAT KHALSA to the Board of Regents, University of Hawai'i, in accordance with Gov. Msg. No. 340.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1855 and Gov. Msg. No. 340 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1856) recommending that the Senate advise and consent to the nominations of RICHARD M. GOODALE, M.D., EMMALINE K. IHU, RONALD Y. FUJIMOTO, M.D., and LANI J. YUKIMURA to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1856 and Gov. Msg. No. 302 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1857) recommending that the Senate advise and consent to the nominations of RONALD T. HAYASHI, KEVIN W. SYPNIEWSKI, ROY YAMAUCHI and ANN M. DITZLER to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 342.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1857 and Gov. Msg. No. 342 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1858) recommending that the Senate advise and consent to the nominations of WILLIAM "SPEEDY" BAILEY, JESS DAVID CURB, M.D., PATTY FOLEY, DARRELL M. KIKUCHI, GAYLE H. MACKURA, STACY K. EVENSEN, VIVAN HO and SUSAN B. HUNT to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 341.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1858 and Gov. Msg. No. 341 was deferred until Friday, April 30, 1999.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1859) recommending that the Senate advise and consent to the nominations of KATHLEEN M. MISHINA, KAREN A.M. NORRIS, JOY A. MCELROY, M.D., IRENE A. NAGAO and STEVEN G. PAVAO to the Hawai'i County Subarea Health Planning Council, in accordance with Gov. Msg. No. 301.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1859 and Gov. Msg. No. 301 was deferred until Friday, April 30, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1808 (Gov. Msg. No. 279):

Senator Kawamoto moved that Stand. Com. Rep. No. 1808 be received and placed on file, seconded by Senator Buen and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of T.B. LYONS III, HARVEY A. SHAPIRO, GEORGE KAWAKAMI, LEILANI CHRISTY LEE and HERNANDO R. TAN to the State Highway Safety Council, terms to expire June 30, 2003, seconded by Senator Buen.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1809 (Gov. Msg. No. 288):

Senator Inouye moved that Stand. Com. Rep. No. 1809 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

DAVID FUERTES, term to expire June 30, 2001;

JOHN ISOBE and LORRAINE M. MENDOZA, terms to expire June 30, 2002; and

DAVID B. FISHER, JOYCE L.E. KAAIHUE, ALAN T. MURAKAMI and YOU SOUKASEUM, terms to expire June 30, 2003,

seconded by Senator Buen.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1810 (Gov. Msg. No. 336):

Senator Inouye moved that Stand. Com. Rep. No. 1810 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Board of Directors, Hawai'i Strategic Development Corporation of the following:

JONATHAN A. KOBAYASHI, term to expire June 30, 2001;

RICHARD L. LIM, term to expire June 30, 2002; and

DAVID A. OKA, TETSU AIKO, WILLIAM M. MCKILLOP and PHILIP M. JOHNSON, Ph.D., terms to expire June 30, 2003,

seconded by Senator Buen.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1811 (Gov. Msg. No. 338):

Senator Inouye moved that Stand. Com. Rep. No. 1811 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of BARRY T. MIZUNO to the Board of Directors, Natural Energy Laboratory of Hawai'i Authority, term to expire June 30, 2003, seconded by Senator Buen.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1812 (Gov. Msg. No. 268):

Senator Kanno moved that Stand. Com. Rep. No. 1812 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of JENNIFER M.H.F. KIM to the Board of Public Accountancy, term to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1813 (Gov. Msg. No. 269):

Senator Kanno moved that Stand. Com. Rep. No. 1813 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of MELVIN S.H. FONG and CHRISTIANE W. CHRIST, O.M.D., to the Board of Acupuncture, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1814 (Gov. Msg. No. 274):

Senator Kanno moved that Stand. Com. Rep. No. 1814 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of NICHOLAS G. OPIE, D.C., to the State Board of Chiropractic Examiners, term to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1815 (Gov. Msg. No. 275):

Senator Kanno moved that Stand. Com. Rep. No. 1815 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of GREGORY S. ENDO, MARK H. FUJIMOTO and ROBERT Y. KATSURA to the Board of Electricians and Plumbers, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1816 (Gov. Msg. No. 277):

Senator Kanno moved that Stand. Com. Rep. No. 1816 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of RONALD K. MIGITA, GERALD H. TAKEUCHI and LORNA A. NISHIMITSU to the Board of Directors of the Hawai'i Hurricane Relief Fund, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1817 (Gov. Msg. No. 280):

Senator Kanno moved that Stand. Com. Rep. No. 1817 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Examiners in Naturopathy of the following:

JASON Y. UCHIDA, N.D. and CHARLES H. TURNER, terms to expire June 30, 2002; and

AUDREY INABA, term to expire June 30, 2003,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1818 (Gov. Msg. No. 281):

Senator Kanno moved that Stand. Com. Rep. No. 1818 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ERIC HIGASHIHARA to the Pest Control Board, term to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1819 (Gov. Msg. No. 282):

Senator Kanno moved that Stand. Com. Rep. No. 1819 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of JAN K. YOKOYAMA and JONI S. KANAZAWA, P.T., to the Board of Physical Therapy, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1820 (Gov. Msg. No. 283):

Senator Kanno moved that Stand. Com. Rep. No. 1820 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of DAVID S. WEISS, Ph.D., BARBARA B. SLOGGETT, Ph.D., and GINGER A. KOLONICK to the Board of Psychology, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1821 (Gov. Msg. No. 286):

Senator Kanno moved that Stand. Com. Rep. No. 1821 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Speech Pathology and Audiology of the following:

LINDA D. CHIU, M.D., terms to expire June 30, 1999 and June 30, 2002;

FAITH Y. LEBB and THELMA YOSHIDA, terms to expire June 30 2001; and

FAYE A.T. MATSUNAGA and JANICE S. SHINTANI, terms to expire June 30, 2002,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1822 (Gov. Msg. No. 290):

Senator Kanno moved that Stand. Com. Rep. No. 1822 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Dental Examiners of the following:

JAY A. CAMBRA, D.D.S., terms to expire June 30, 1999 and June 30, 2003; and

STANWOOD H. KANNA, D.D.S., term to expire June 30, 2003,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1823 (Gov. Msg. No. 293):

Senator Kanno moved that Stand. Com. Rep. No. 1823 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of CLIFFORD R. SMITH and JAMES P. CHUNG to the Elevator Mechanics Licensing Board, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1824 (Gov. Msg. No. 296):

Senator Kanno moved that Stand. Com. Rep. No. 1824 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Trustees, Hawai'i Public Employees Health Fund of the following:

JAMES H. YASUDA, term to expire June 30, 2000; and

ROBERT S.J. HU, term to expire June 30, 2003,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1825 (Gov. Msg. No. 311):

Senator Kanno moved that Stand. Com. Rep. No. 1825 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of BUSTER M. KOMORI and DAVID D.S. CHUN to the Motor Vehicle Industry Licensing Board, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1826 (Gov. Msg. No. 313):

Senator Kanno moved that Stand. Com. Rep. No. 1826 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of BARBARA J. DIRKS, O.D., FRANKLIN Y.P. LAU, O.D., and ERNEST K. OSHIRO, O.D., to the Board of Examiners in Optometry, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1827 (Gov. Msg. No. 333):

Senator Kanno moved that Stand. Com. Rep. No. 1827 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Contractors License Board of the following:

STANLEY A. WADA, term to expire June 30, 2000; and

CLYDE J. EUGENIO, ERNIE BELLO and KENNETH T. TOKUNAGA, terms to expire June 30, 2003,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1828 (Gov. Msg. No. 337):

Senator Kanno moved that Stand. Com. Rep. No. 1828 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of BENJAMIN M. ONO, M.D., THOMAS SIDNEY KOSASA, M.D., RAMON K. SY, M.D., and ANN H. KOBAYASHI to the Board of Medical Examiners, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1829 (Gov. Msg. No. 181):

Senator Kanno moved that Stand. Com. Rep. No. 1829 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Credit Union Advisory Board of the following:

WAYNE M. SHINTANI, term to expire June 30, 2000;

PATRICK PETTI, term to expire June 30, 2002; and

RALPH Y. FUJINAKA and MILTON W.Y. LUM, terms to expire June 30, 2003,

seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1830 (Gov. Msg. No. 284):

Senator Kanno moved that Stand. Com. Rep. No. 1830 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of PATRICIA CHOI to the Real Estate Commission, term to expire June 30, 2003, seconded by Senator Taniguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1831 (Gov. Msg. No. 316):

Senator Fukunaga moved that Stand. Com. Rep. No. 1831 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, First Taxation District (Oahu) of the following:

CAROL RAE BAPTISTA, term to expire June 30, 2000; and

CURTIS K. SAIKI and DON I. SAKAI, terms to expire June 30, 2003,

seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1832 (Gov. Msg. No. 317):

Senator Fukunaga moved that Stand. Com. Rep. No. 1832 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Second Taxation District (Maui County) of the following:

RANDOLPH R. CABANILLA, term to expire June 30, 2000; and

MIMI S.J. HU, term to expire June 30, 2003,

seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1833 (Gov. Msg. No. 319):

Senator Fukunaga moved that Stand. Com. Rep. No. 1833 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of JOSE R.S. DIOGO to the Board of Taxation Review, Fourth Taxation District (Kauai), term to expire June 30, 2003, seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1834 (Gov. Msg. No. 344):

Senator Fukunaga moved that Stand. Com. Rep. No. 1834 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of RICHARD SAKANASHI to the Board of Taxation Review, Third Taxation District (Hawai'i), term to expire June 30, 2003, seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

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 Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances of the following:

ALISON M. DINGLEY and THOMAS H. KAAIAI, JR., terms to expire June 30, 2001;

JUDITH AKAMINE, term to expire June 30, 2002; and

GARY L. BLAICH, M.D., and GODFREY "KAIPO" KEALALIO II, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1836 (Gov. Msg. No. 292):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1836 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of WAYNE T. HIKIDA, CLARA KATEKARU, FELY LIBRE, WINIFRED N. ODO, LINDA SPRATT, JILL N. TOKUDA and HARRIET O. YOSHIMORI to the Policy Advisory Board for Elder Affairs, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1837 (Gov. Msg. No. 294):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1837 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

GAIL T. TOMINAGA, M.D., F.A.C.S., term to expire June 30, 2002; and

VIRGINIA MARIE KAPALI, DELBERT M. NISHIMOTO, ANDY SCHWARTZ, M.D., TOBY L. CLAIRMONT and DARREN J. ROSARIO, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1838 (Gov. Msg. No. 304):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1838 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of J. COURTNEY FITZSIMMONS, DONNA M. BUHRMAN, EPE ANDERSON, HEATHER PROUD, SHARON SHORE, LINDA WONG, LYN A. PASAK, LORI G. ODELL and RANDOLPH C. HACK to the Statewide Independent Living Council, terms to expire June 30, 2002, seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1839 (Gov. Msg. No. 309):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1839 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

LESLIE ROSS, Ph.D., term to expire June 30, 2001; and

SHELLY A. ABE OGATA, KUHIO ASAM, M.D., POE SUA'AVA III, WILLIAM S. BUD BOWLES, MARILYN JEAN MOE and SANDRA JANE MIYOSHI, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1840 (Gov. Msg. No. 314):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1840 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of DOROTHY (NANI) FIFE, JAMES (JIM) C. BEAMAN and JOANNE H. KEALOHA to the State Advisory Council on Rehabilitation, terms to expire June 30, 2002, seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1841 (Gov. Msg. No. 323):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1841 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of JANE RENFRO SMITH and LESLIE WILKINS to the State Commission on the Status of Women, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1842 (Gov. Msg. No. 334):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1842 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Planning Council on Developmental Disabilities of the following:

VIRGINIA M. PRESSLER, M.D., term to expire June 30, 2000;

EVELYN CHONG, term to expire June 30, 2002; and

ESPERANZA N. CADAVONA, KATHERINE ANNE O'REILLY, JOHN L. NOLAND, CHARLES C. DUARTE, HELEN SMALLEY-BOWER, LAMBERT K. WAI, DAVID PFEIFFER, Ph.D., DIRK K. WASANO and MILLICENT L.K. ROGERS, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Stand. Com. Rep. No. 1843 (Gov. Msg. No. 193):

Senator Taniguchi moved that Stand. Com. Rep. No. 1843 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of GREGORY G.Y. PAI, Ph.D., to the Public Utilities Commission, term to expire June 30, 2000, seconded by Senator Ihara.

Senator Taniguchi rose in support of the nominee and said:

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

"Mr. President, among the nominee's many achievements, Dr. Gregory Pai holds a Ph.D. in economics from the Massachusetts Institute of Technology and a Master's degree in architecture from Harvard University. He has worked as an economist with the Bureau of Economic Analysis in the U.S. Department of Commerce and has served for six years as vice-president and chief economist with First Hawaiian Bank.

"Dr. Pai has a distinguished history of public service. In 1989 he was appointed special assistant to the governor for economic affairs and was subsequently named director of the Office of State Planning. He is currently an interim commissioner on the PUC.

"In addition, Dr. Pai is active in community affairs, having served as president of the Korean Chamber of Commerce of Hawaii, the American Statistical Association - Hawaii Chapter, and First Night Honolulu. He has served on the boards of numerous organizations, including Hawaii Public Radio, the Honolulu Symphony Orchestra, the Health and Community Services Council of Hawaii, and the Girl Scout Council of the Pacific.

"Dr. Pai's expertise in economic analysis and planning has been invaluable to the PUC in its decision making since a significant number of utility filings involve complex economic issues. Further, his diverse experiences in the public and private sectors have given him a broad and balanced perspective on the issues facing the PUC.

"Dr. Pai's strong points include his extensive knowledge of the regulatory process, dedication, independence, leadership, and a commitment to public service.

"Dr. Pai's supporters include: the chair of the Public Utilities Commission (PUC); the administrative director of the PUC; the Hawaii Korean Chamber of Commerce; the Korean American Bar Association Hawaii; the Hawaii Han-in Sports Association; the Honolulu Korean Jaycees; the Korean American Women's Club; and the Korean American Coalition - Hawaii Chapter.

"The members of the Committee on Commerce and Consumer Protection, after full consideration of the background, character, experience and qualifications of the nominee, have found him to be qualified for the position to which he has been nominated and recommends that the Senate advise and consent to the nomination.

"Thank you."

Senator Kanno then rose in opposition to the nominee and said:

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

"Mr. President, there were a number of concerns that were brought up at the hearing on Mr. Pai's nomination. First, there was the concern of a lack of background in telecommunications -- a concern that the Public Utilities Commission is increasingly needing to address very technical issues and very complex ones having to do with the area of telecommunications and the concern that Mr. Pai does not have the background in that particular area.

"Secondly, there was testimony opposed to Mr. Pai coming from a resident of the Kapolei area. Previously, Mr. Pai served as chair of the Barbers Point Redevelopment Commission and during that time, when he first came on, there were many difficult issues that the community was dealing with, including locating a reliever airport at Barbers Point. Mr. Pai started his term promising many in the community that there would be more input and more time allowed for community discussions during the meetings. During his tenure at the Barbers Point Redevelopment Commission things changed, and the community was left very upset about the way that he conducted

the meetings and the lack of opportunity for the community to participate in the meetings. At times, the community asked to be able to provide comments on issues that were up for a vote before the commission and the suggestion was made to the community that their comments could only come at the end of the meeting, long after the vote. That was a major concern for the community.

"Lastly, the issue which is important to me is the issue of undergrounding of power lines. Mr. Pai indicated that he opposed measures mandating the undergrounding of power lines in residential areas or near schools and child care centers. Secondly, he indicated that in his thinking there is not a means for the Public Utilities Commission to underground a power line and to spread that cost throughout the rate base.

"As the Legislature and the community as a whole have struggled with the undergrounding of power lines, many of us have wanted the Public Utilities Commission to look at these areas. At this point, Mr. Pai has indicated that there isn't a mechanism that would allow for the undergrounding of power lines and the spreading of those costs to the rate base unless there are specific federal funds or other special funds, and that is very troubling. The Public Utilities Commission is responsible for determining whether a power line gets built above ground or underground, and there have been a number of instances where the community has wanted to be a part of the proceedings and have these concerns be a part of the discussion at the Public Utilities Commission. Mr. Pai's nomination unfortunately means that the community will not have a real opportunity to advocate for the undergrounding of power lines.

"As well as the issues about open proceedings, Mr. Pai indicated that the Public Utilities Commission is moving towards a process that will involve the public more. Some of what he said, though, is really about getting information out to the community. I think the community's real concern is being able to have input, real input, into the commission's dealings, have the commissioners listen to the community and have that input be a part of the decisions that come out. Currently, the position that Mr. Pai is taking is that there really will not be the undergrounding of power lines where the cost will have to be passed on to the rate payers, and that's a very unfortunate situation.

"I just hope that if Mr. Pai is confirmed this evening that he takes a little broader perspective and maybe an open mind to the issue, because it is an important issue for our community. To enter into a position as important as a member of the Public Utilities Commission and be closed to the idea of undergrounding of power lines when it's an important community issue, and to have a background where concerns have been raised about public input and concerns about his background in the area of telecommunications, I do hope that he and the other members of the commission will consider the community interest in this area.

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

Senator Hanabusa then rose and said:

"Mr. President, I request that the comments of the Senator from Ewa be reflected in the Journal as if 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, 19. Noes, 3 (Fukunaga, Hanabusa, Kanno). Excused, 3 (Bunda, D. Ige, Iwase).

At this time, Senator Taniguchi introduced Dr. Pai who was seated in the gallery.

At 7:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:01 o'clock p.m.

FINAL READING

Conf. Com. Rep. No. 1 (S.B. No. 560, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Matsuura and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 560, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

Conf. Com. Rep. No. 2 (S.B. No. 1321, S.D. 2, H.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 2 be adopted and S.B. No. 1321, S.D. 2, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 2 was adopted and S.B. No. 1321, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, D. Ige, Iwase).

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 663, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 663, S.D. 1, seconded by Senator Slom and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 663, S.D. 1, seconded by Senator Slom.

Senator Kawamoto explained:

"Mr. President, this bill provides the extension to register temporary numbered plates from 20 days to 30 days."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 663, S.D. 1, and S.B. No. 663, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATIONS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1101, S.D. 1 (H.D. 2):

Senator Tam moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1101, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Tam moved that the Senate agree to the amendments proposed by the House to S.B. No. 1101, S.D. 1, seconded by Senator Taniguchi.

Senator Tam noted:

"Mr. President, there were non-substantive changes 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. 1101, S.D. 1, and S.B. No. 1101, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Senator Taniguchi rose at this time and said:

"Mr. President, amendments made to the following 12 bills were all technical, non-substantive changes done for style and clarity."

S.B. No. 776 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 7, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 776, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 776, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 776 and S.B. No. 776, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 949, S.D. 1 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 949, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 949, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 949, S.D. 1, and S.B. No. 949, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1130, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1130, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1130, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1130, S.D. 1, and S.B. No. 1130, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1131, S.D. 1 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the

amendments proposed by the House to S.B. No. 1131, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1131, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1131, S.D. 1, and S.B. No. 1131, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1132 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 8, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1132, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1132, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1132 and S.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1136, S.D. 2 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1136, S.D. 2, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1136, S.D. 2, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1136, S.D. 2, and S.B. No. 1136, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1139, S.D. 1 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1139, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1139, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1139, S.D. 1, and S.B. No. 1139, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1140, S.D. 2 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1140, S.D. 2, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1140, S.D. 2, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1140, S.D. 2, and S.B. No. 1140, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1142, S.D. 2 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1142, S.D. 2, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1142, S.D. 2, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1142, S.D. 2, and S.B. No. 1142, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1178, S.D. 2 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1178, S.D. 2, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1178, S.D. 2, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1178, S.D. 2, and S.B. No. 1178, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1282, S.D. 2 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1282, S.D. 2, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1282, S.D. 2, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1282, S.D. 2, and S.B. No. 1282, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1512, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1512, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1512, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1512, S.D. 1, and S.B. No. 1512, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1049, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1049, S.D. 2, seconded by Senator Fukunaga and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1049, S.D. 2, seconded by Senator Fukunaga.

Senator Chun Oakland noted:

"Senate Bill 1049 relates to foster board allowances for students. The Senate agrees to the technical changes that were 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. 1049, S.D. 2, and S.B. No. 1049, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1055, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1055, S.D. 1, seconded by Senator Fukunaga and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1055, S.D. 1, seconded by Senator Fukunaga.

Senator Chun Oakland explained:

"On S.B. No. 1055, Relating to Unclaimed Financial Assistance Benefits, the Senate agrees to the House amendments that clarify how the unclaimed benefits are recovered and how the Department of Human Services is authorized to use those unclaimed benefits."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1055, S.D. 1, and S.B. No. 1055, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1026 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1026, seconded by Senator Fukunaga and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1026, seconded by Senator Fukunaga.

Senator Chun Oakland then said:

"Senate Bill 1026, Relating to the Training of Emergency Medical Services Personnel, the Senate agrees to the House's technical amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1026, and S.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1021 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1021, seconded by Senator Fukunaga and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1021, seconded by Senator Fukunaga.

Senator Chun Oakland explained:

"Senate Bill 1021, Relating to Clinical Laboratory Personnel, the Senate agrees to the House amendments that correctly and appropriately reference clinical laboratory personnel."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1021 and S.B. No. 1021, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 779, S.D. 2 (H.D. 2):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 779, S.D. 2, seconded by Senator Fukunaga and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 779, S.D. 2, seconded by Senator Fukunaga.

Senator Chun Oakland noted:

"Senate Bill 779, Relating to Dental Hygienists, the Senate agrees to the House amendments that implement Act 9, Session Laws of Hawaii 1997, authorizing dental hygienists to administer intra-oral block anesthesia."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 779, S.D. 2, and S.B. No. 779, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 1279, and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following bills:

S.B. No. 44;
S.B. No. 638;
S.B. No. 1177;
S.B. No. 1180;
H.B. No. 232;
H.B. No. 375;
H.B. No. 1198; and
H.B. No. 1649,

and the Chair granted the waiver.

CONFERENCE COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 8:11 o'clock p.m., the Senate took the following actions:

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1024, S.D. 3, presented a report (Conf. Com. Rep. No. 14) recommending that S.B. No. 1024, S.D. 3, 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. 14 and S.B. No. 1024, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1079, S.D. 1, presented a report (Conf. Com. Rep. No. 15) recommending that S.B. No. 1079, 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. 15 and S.B. No. 1079, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1638, S.D. 2, presented a report (Conf. Com. Rep. No. 16) recommending that S.B. No. 1638, 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. 16 and S.B. No. 1638, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," 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. 1519, S.D. 3, presented a report (Conf. Com. Rep. No. 17) recommending that S.B. No. 1519, S.D. 3, 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. 17 and S.B. No. 1519, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1149, S.D. 1, presented a report (Conf. Com. Rep. No. 18) recommending that S.B. No. 1149, 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. 18 and S.B. No. 1149, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 40, presented a report (Conf. Com. Rep. No. 19) recommending that S.B. No. 40, 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. 19 and S.B. No. 40, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 236, S.D. 1, presented a report (Conf. Com. Rep. No. 20) recommending that S.B. No. 236, 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. 20 and S.B. No. 236, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," 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. 664, S.D. 1, presented a report (Conf. Com. Rep. No. 21) recommending that S.B. No. 664, 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. 21 and S.B. No. 664, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," 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 S.B. No. 709, S.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that S.B. No. 709, 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. 22 and S.B. No. 709, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," 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. 27, presented a report (Conf. Com. Rep. No. 23) recommending that S.B. No. 27, 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. 23 and S.B. No. 27, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," 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. 676, S.D. 1, presented a report (Conf. Com. Rep. No. 24) recommending that S.B. No. 676, 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. 24 and S.B. No. 676, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S 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. 700, S.D. 2, presented a report (Conf. Com. Rep. No. 25) recommending that S.B. No. 700, 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. 25 and S.B. No. 700, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO LOW-SPEED VEHICLES," 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. 823, S.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that S.B. No. 823, 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. 26 and S.B. No. 823, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," 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. 1502, S.D. 1, presented a report (Conf. Com. Rep. No. 27) recommending that S.B. No. 1502, 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. 27 and S.B. No. 1502, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 777, S.D. 2, presented a report (Conf. Com. Rep. No. 28) recommending that S.B. No. 777, 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. 28 and S.B. No. 777, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," 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. 365, S.D. 1, presented a report (Conf. Com. Rep. No. 29) recommending that S.B. No. 365, 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. 29 and S.B. No. 365, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," 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. 947, S.D. 2, presented a report (Conf. Com. Rep. No. 30) recommending that S.B. No. 947, 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. 30 and S.B. No. 947, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," 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. 630, S.D. 1, presented a report (Conf. Com. Rep. No. 31) recommending that S.B. No. 630, 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. 31 and S.B. No. 630, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," 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. 1119, S.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 1119, 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. 32 and S.B. No. 1119, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," 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. 1485, S.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 1485, 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. 33 and S.B. No. 1485, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," 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. 285, S.D. 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 285, 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. 34 and S.B. No. 285, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," 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. 594, S.D. 1, presented a report (Conf. Com. Rep. No. 35) recommending that S.B. No. 594, 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. 35 and S.B. No. 594, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," 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. 628, S.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that S.B. No. 628, 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. 36 and S.B. No. 628, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," 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. 616, S.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that S.B. No. 616, 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. 37 and S.B. No. 616, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," 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. 1003, S.D. 1, presented a report (Conf.

Com. Rep. No. 38) recommending that S.B. No. 1003, 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. 38 and S.B. No. 1003, 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 Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 186, S.D. 1, presented a report (Conf. Com. Rep. No. 39) recommending that S.B. No. 186, 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. 39 and S.B. No. 186, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," 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. 919, S.D. 1, presented a report (Conf. Com. Rep. No. 40) recommending that S.B. No. 919, 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. 40 and S.B. No. 919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," 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. 590, S.D. 1, presented a report (Conf. Com. Rep. No. 41) recommending that S.B. No. 590, 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. 41 and S.B. No. 590, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS," 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. 1118, S.D. 1, presented a report (Conf. Com. Rep. No. 42) recommending that S.B. No. 1118, 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. 42 and S.B. No. 1118, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," 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. 36, S.D. 2, presented a report (Conf. Com. Rep. No. 43) recommending that S.B. No. 36, 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. 43 and S.B. No. 36, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," 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. 1522, H.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that H.B. No. 1522, 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. 64 and H.B. No. 1522, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," 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. 602, presented a report (Conf. Com. Rep. No. 65) recommending that H.B. No. 602, 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. 65 and H.B. No. 602, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," was deferred for a period of 48 hours.

Senator Kawamoto, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 719, H.D. 2, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 719, 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. 66 and H.B. No. 719, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 221, H.D. 2, presented a report (Conf. Com. Rep. No. 67) recommending that H.B. No. 221, 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. 67 and H.B. No. 221, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 827, H.D. 3, presented a report (Conf. Com. Rep. No. 68) recommending that H.B. No. 827, 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. 68 and H.B. No. 827, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1277, H.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 1277, 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. 69 and H.B. No. 1277, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 138, H.D. 2, presented a report (Conf. Com. Rep. No. 70) recommending that H.B. No. 138, 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. 70 and H.B. No. 138, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO AGRICULTURAL GOODS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 562, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 562, 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. 71 and H.B. No. 562, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 945, H.D. 1, presented a report (Conf. Com. Rep. No. 72) recommending that H.B. No. 945, 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. 72 and H.B. No. 945, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1628, presented a report (Conf. Com. Rep. No. 73) recommending that H.B. No. 1628, 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. 73 and H.B. No. 1628, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," 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. 1637, H.D. 2, presented a report (Conf. Com. Rep. No. 74) recommending that H.B. No. 1637, 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. 74 and H.B. No. 1637, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," 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. 167, H.D. 3, presented a report (Conf. Com. Rep. No. 75) recommending that H.B. No. 167, 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. 75 and H.B. No. 167, H.D. 3, 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 Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 32, H.D. 2, presented a report (Conf. Com. Rep. No. 76) recommending that H.B. No. 32, 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. 76 and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," 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. 212, H.D. 1, presented a report (Conf. Com. Rep. No. 77) recommending that H.B. No. 212, 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. 77 and H.B. No. 212, H.D. 1, S.D. 1, 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 Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1401, H.D. 2, presented a report (Conf. Com. Rep. No. 78) recommending that H.B. No. 1401, 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. 78 and H.B. No. 1401, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," 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. 273, H.D. 2, presented a report (Conf. Com. Rep. No. 79) recommending that H.B. No. 273, 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. 79 and H.B. No. 273, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," 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. 171, H.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that H.B. No. 171, 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. 80 and H.B. No. 171, 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 Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 325, H.D. 2, presented a report (Conf. Com. Rep. No. 81) recommending that H.B. No. 325, 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. 81 and H.B. No. 325, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 72, H.D. 2, presented a report (Conf. Com. Rep. No. 82) recommending that H.B. No. 72, 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. 82 and H.B. No. 72, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," 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. 160, presented a report (Conf. Com.

Rep. No. 83) recommending that H.B. No. 160, 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. 83 and H.B. No. 160, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," 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. 161, H.D. 1, presented a report (Conf. Com. Rep. No. 84) recommending that H.B. No. 161, 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. 84 and H.B. No. 161, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," 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. 165, H.D. 1, presented a report (Conf. Com. Rep. No. 85) recommending that H.B. No. 165, 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. 85 and H.B. No. 165, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," 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. 177, H.D. 1, presented a report (Conf. Com. Rep. No. 86) recommending that H.B. No. 177, 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. 86 and H.B. No. 177, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," 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. 955, H.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that H.B. No. 955, 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. 87 and H.B. No. 955, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," 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. 1496, H.D. 1, presented a report (Conf. Com. Rep. No. 88) recommending that H.B. No. 1496, 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. 88 and H.B. No. 1496, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," 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. 1497, H.D. 1, presented a report (Conf. Com. Rep. No. 89) recommending that H.B. No. 1497, 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. 89 and H.B. No. 1497, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 266, H.D. 2, presented a report (Conf. Com. Rep. No. 90) recommending that H.B. No. 266, 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. 90 and H.B. No. 266, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," 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. 1622, H.D. 1, presented a report (Conf. Com. Rep. No. 91) recommending that H.B. No. 1622, 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. 91 and H.B. No. 1622, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 7:30 o'clock p.m., Friday, April 30, 1999.

FIFTY-NINTH DAY

Friday, April 30, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 7:46 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Claudia Wong, C.S.J., Sisters of St. Joseph of Carondelet, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

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

At 7:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:53 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 356 and 357) were read by the Clerk and were placed on file:

Gov. Msg. No. 356, advising the Senate of the withdrawal of the nomination of DONNA L. KEKAUOHA to the Board of Trustees, Hawai'i Public Employees Health Fund, under Gov. Msg. No. 236 dated March 11, 1999.

In compliance with Gov. Msg. No. 356, the nomination listed under Gov. Msg. No. 236 was returned.

Gov. Msg. No. 357, dated April 26, 1999, transmitting the 1998 State Certified Arbitration Program (SCAP) Report submitted by the Department of Commerce and Consumer Affairs.

CONFERENCE COMMITTEE REPORTS

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. 1160, S.D. 2, presented a report (Conf. Com. Rep. No. 44) recommending that S.B. No. 1160, 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. 44 and S.B. No. 1160, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," 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. 822, S.D. 2, presented a report (Conf. Com. Rep. No. 45) recommending that S.B. No. 822, 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. 45 and S.B. No. 822, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," 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. 1018, S.D. 1, presented a report (Conf. Com. Rep. No. 46) recommending that S.B. No. 1018, 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. 46 and S.B. No. 1018, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE DRUG FORMULARY," 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. 1128, S.D. 2, presented a report (Conf. Com. Rep. No. 47) recommending that S.B. No. 1128, 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. 47 and S.B. No. 1128, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," 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. 1145, S.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that S.B. No. 1145, 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. 48 and S.B. No. 1145, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," 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. 351, H.D. 2, presented a report (Conf. Com. Rep. No. 92) recommending that H.B. No. 351, 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. 92 and H.B. No. 351, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," 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. 1115, H.D. 2, presented a report (Conf. Com. Rep. No. 93) recommending that H.B. No. 1115, 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. 93 and H.B. No. 1115, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," 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. 1117, H.D. 3, presented a report (Conf. Com. Rep. No. 94) recommending that H.B. No. 1117, 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. 94 and H.B. No. 1117, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," 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. 1088, H.D. 2, presented a report (Conf. Com. Rep. No. 95) recommending that H.B. No. 1088, 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. 95 and H.B. No. 1088, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO SCHOOL ATTENDANCE," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1183, H.D. 2, presented a report (Conf. Com. Rep. No. 96) recommending that H.B. No. 1183, 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. 96 and H.B. No. 1183, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," 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. 1119, H.D. 1, presented a report (Conf. Com. Rep. No. 97) recommending that H.B. No. 1119, 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. 97 and H.B. No. 1119, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," 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. 377, H.D. 2, presented a report (Conf. Com. Rep. No. 98) recommending that H.B. No. 377, 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. 98 and H.B. No. 377, 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 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. 154, H.D. 1, presented a report (Conf. Com. Rep. No. 99) recommending that H.B. No. 154, 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. 99 and H.B. No. 154, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," 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. 307, H.D. 2, presented a report (Conf. Com. Rep. No. 100) recommending that H.B. No. 307, 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. 100 and H.B. No. 307, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1860) recommending that the Senate advise and consent to the nominations of JUDY MCCORKLE, TIMOTHY T. SHIROMA, THOMAS R. FITZGERALD, JR., PATRICIA MARY RAFFETTO and JOHN ORNELLAS to the Tri-Isle Subarea Health Planning Council, in accordance with Gov. Msg. No. 303.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1860 and Gov. Msg. No. 303 was deferred until Tuesday, May 4, 1999.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1861) recommending that the Senate advise and consent to the nominations of CLIFFORD T. UWAIINE and BRUCE Y. NAKAMURA to the Board of Trustees, Hawai'i Public Employees Health Fund, in accordance with Gov. Msg. No. 236.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1861 and Gov. Msg. No. 236 was deferred until Tuesday, May 4, 1999.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1844 (Gov. Msg. No. 285):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1844 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of JANICE IRENE HANSEN, M.D., and AMY KURAOKA-GOO to the Reproductive Rights Protection Committee, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1845 (Gov. Msg. No. 298):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1845 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of JOYCE INGRAM-CHINN to the Honolulu Subarea Health Planning Council, term to expire June 30, 2003, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1846 (Gov. Msg. No. 299):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1846 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of KATHLEEN DELAHANTY, JOYCE O'BRIEN and KHEN SEE ANG, M.D., to the West Oahu Subarea Health Planning Council, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1847 (Gov. Msg. No. 335):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1847 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Health Systems Corporation of the following:

WAYNE M.T. LU, term to expire June 30, 2000; and

NORMAN H. OKAMURA, Ph.D., and B. MARTIN LUNA, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1848 (Gov. Msg. No. 273):

Senator Hanabusa moved that Stand. Com. Rep. No. 1848 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RICK EGGED to the Barbers Point Naval Air Station Redevelopment Commission, term to expire June 30, 2000, seconded by Senator Tanaka.

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

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

Stand. Com. Rep. No. 1849 (Gov. Msg. No. 218):

Senator Kanno moved that Stand. Com. Rep. No. 1849 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of RICHARD L. HUMPHREYS to the Board of Trustees, Employees' Retirement System, term to expire January 1, 2005, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the nominee and said:

"Mr. President, I rise to speak against Gov. Msg. No. 218. I'm going to be casting a 'no' vote on the nominee, Richard L. Humphreys, to the Board of Trustees, Employees' Retirement System.

"During Mr. Humphreys' tenure as the head of a large financial institution here, there were numerous mistakes made in terms of foreclosure notices sent to local residents when the takeover of the bank occurred. There were a lot of errors which caused a lot of harm to a number of local residents. Also, under the nominee's watch there were allegations of discrimination filed against the financial institution that he headed by native Hawaiians and by other groups.

"In addition to that, the nominee was highly political during the last gubernatorial campaign serving as one of three co-chairs in the Governor's campaign.

"So for these and other reasons I'm going to be voting 'no' on the nominee.

"Thank you, Mr. President."

Senator Anderson rose and said:

"I'll also be voting 'no,' Mr. President."

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

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Bunda, Iwase).

Stand. Com. Rep. No. 1850 (Gov. Msg. No. 312):

Senator Kanno moved that Stand. Com. Rep. No. 1850 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of RUDOLPH E. AHLO and DAWN L. HIRAI to the Motor Vehicle Repair Industry Board, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

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

Stand. Com. Rep. No. 1851 (Gov. Msg. No. 320):

Senator Kanno moved that Stand. Com. Rep. No. 1851 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of RICHARD M. FUJIE, D.V.M., Ph.D., and LISSA W.G. KAM, D.V.M., to the Board of Veterinary Examiners, terms to expire June 30, 2003, seconded by Senator Taniguchi.

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

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

Stand. Com. Rep. No. 1852 (Gov. Msg. No. 339):

Senator Kanno moved that Stand. Com. Rep. No. 1852 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of BARBARA K. IDETA, R.N., STEPHEN A. KULA, Ph.D., SANDRA MARIE MYERS, L.P.N., and KENDALL DEBORAH SHARPLESS, R.N., to the State Board of Nursing, terms to expire June 30, 2002, seconded by Senator Taniguchi.

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

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

Stand. Com. Rep. No. 1853 (Gov. Msg. No. 343):

Senator Kanno moved that Stand. Com. Rep. No. 1853 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

MEMITO N. ABLAN, JUNE J. NAKAMURA and MAILE V.O. ROMANOWSKI, terms to expire June 30, 2000;

ISOO OSHIMA, KENNETH T. ONO, ANDREW L. NICKLES and JAMES E. COON, terms to expire June 30, 2001; and

ROY SHIMONISHI, DENISE WALKER, ANN B. LEIGHTON and TIMOTHY MOORE, terms to expire June 30, 2002,

seconded by Senator Taniguchi.

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

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

Stand. Com. Rep. No. 1854 (Gov. Msg. No. 308):

Senator D. Ige moved that Stand. Com. Rep. No. 1854 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

MARION M. JOY and ROSE MAY ENOS-KU, terms to expire June 30, 2002; and

LUCY M. AKAU and CANDACE K. LEE, terms to expire June 30, 2003,

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, Iwase).

Stand. Com. Rep. No. 1855 (Gov. Msg. No. 340):

Senator D. Ige moved that Stand. Com. Rep. No. 1855 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of SAT KHALSA to the Board of Regents, University of Hawai'i, 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, 23. Noes, none. Excused, 2 (Bunda, Iwase).

Stand. Com. Rep. No. 1856 (Gov. Msg. No. 302):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1856 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of RICHARD M. GOODALE, M.D., EMMALINE K. IHU, RONALD Y. FUJIMOTO, M.D., and LANI J. YUKIMURA to the Kauai County Subarea Health Planning Council, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1857 (Gov. Msg. No. 342):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1857 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Windward Oahu Subarea Health Planning Council of the following:

RONALD T. HAYASHI, term to expire June 30, 2002; and

KEVIN W. SYPNIEWSKI, ROY YAMAUCHI and ANN M. DITZLER, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1858 (Gov. Msg. No. 341):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1858 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

WILLIAM "SPEEDY" BAILEY and JESS DAVID CURB, M.D., terms to expire June 30, 2001; and

PATTY FOLEY, DARRELL M. KIKUCHI, GAYLE H. MACKURA, STACY K. EVENSEN, VIVAN HO and SUSAN B. HUNT, terms to expire June 30, 2003,

seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1859 (Gov. Msg. No. 301):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1859 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of KATHLEEN M. MISHINA, KAREN A.M. NORRIS, JOY A. MCELROY, M.D., IRENE A. NAGAO and STEVEN G. PAVAO to the Hawai'i County Subarea Health Planning Council, terms to expire June 30, 2003, seconded by Senator Fukunaga.

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

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

RECONSIDERATION OF ACTIONS TAKEN

Senator Taniguchi rose at this time and said:

"Mr. President, the amendments made to the following three bills were technical and non-substantive changes done for style and clarity."

At 7:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:06 o'clock p.m.

S.B. No. 1102, S.D. 1 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1102, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1102, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1102, S.D. 1, and S.B. No. 1102, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1143 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1143, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1143, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1143 and S.B. No. 1143, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1261, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1261, S.D. 1, seconded by Senator Kanno and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1261, S.D. 1, seconded by Senator Kanno.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1261, S.D. 1, and S.B. No. 1261, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Senator Chumbley then rose and stated:

"Mr. President, the amendments on the following 11 bills were technical and non-substantive and made for clarity."

S.B. No. 21, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 7, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 21, 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. 21, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 21, S.D. 1, and S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 588, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 588, 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. 588, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 588, S.D. 1, and S.B. No. 588, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 591, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 7, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 591, 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. 591, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 591, S.D. 1, and S.B. No. 591, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AND VISITATION," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 592, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 6, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 592, 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. 592, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 592, S.D. 1, and S.B. No. 592, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 631, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 6, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 631, 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. 631, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 631, S.D. 1, and S.B. No. 631, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 829, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 6, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 829, 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. 829, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 829, S.D. 1, and S.B. No. 829, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES

OF EVIDENCE," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 896, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 896, 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. 896, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 896, S.D. 1, and S.B. No. 896, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 901, S.D. 2 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 901, S.D. 2, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 901, S.D. 2, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 901, S.D. 2, and S.B. No. 901, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1016, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1016, 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. 1016, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1016, S.D. 1, and S.B. No. 1016, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1163, S.D. 1 (H.D. 2):

Senator Chumbley moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1163, 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. 1163, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1163, S.D. 1, and S.B. No. 1163, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1421, S.D. 1 (H.D. 2):

Senator Chumbley moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1421, 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. 1421, S.D. 1, seconded by Senator Matsunaga.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1421, S.D. 1, and S.B. No. 1421, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 46, S.D. 2 (H.D. 2):

Senator D. Ige moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 46, S.D. 2, seconded by Senator Fukunaga and carried.

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 46, S.D. 2, seconded by Senator Fukunaga.

Senator D. Ige explained:

"Mr. President, on S.B. No. 46, S.D. 2, this bill dealt with improved flexibility for school-by-school budgeting. The House extended the effective date of this measure from 'upon approval' to 'July 1, 2000' in order to allow the Department more time to implement 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. 46, S.D. 2, and S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 550, S.D. 2 (H.D. 1):

Senator D. Ige moved that the Senate reconsider its action taken on April 9, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 550, S.D. 2, seconded by Senator Fukunaga and carried.

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 550, S.D. 2, seconded by Senator Fukunaga.

Senator D. Ige then noted:

"On S.B. No. 550, the House made technical, non-substantive changes."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 550, S.D. 2, and S.B. No. 550, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.B. No. 1155, S.D. 1 (H.D. 2):

Senator D. Ige moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1155, S.D. 1, seconded by Senator Fukunaga and carried.

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 1155, S.D. 1, seconded by Senator Fukunaga.

Senator D. Ige noted:

"On S.B. No. 1155, S.D. 1, the House made technical, non-substantive changes."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1155, S.D. 1, and S.B. No. 1155, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

S.C.R. No. 4, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 27, 1999, in disagreeing to the amendments proposed by the House to S.C.R. No. 4, S.D. 1, seconded by Senator Chun and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 4, S.D. 1, seconded by Senator Chun.

Senator Chun Oakland explained:

"This SCR is observing 1999 as the International Year of the Older Persons. There was an amendment made to strengthen language to foster intergenerational relationships between young and old alike."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 4, S.D. 1, and S.C.R. No. 4, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS," was placed on the calendar for Final Adoption on Tuesday, May 4, 1999.

S.B. No. 1071, S.D. 1 (H.D. 2):

Senator Inouye moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1071, S.D. 1, seconded by Senator Levin and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1071, S.D. 1, seconded by Senator Levin.

Senator Inouye then noted:

"Mr. President, the purpose of this bill is to enable businesses to raise growth capital through the Small Corporate Offerings Registration or SCOR program, a simplified uniform registration system that allows the company to obtain up to \$1 million in equity financing by selling common stock directly to the public.

"Every substantive provision contained in the Senate version also appears in the House version. The House draft also contains additional findings from the bill's implications. Secondly, it provides an additional definition of accredited investors. And lastly, sets forth requirements and certain exemptions from those requirements for transactions involving accredited investors.

"The DCCA has also informed us that they prefer the House version."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1071, S.D. 1, and S.B. No. 1071, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"About an hour ago I was watching a live television interview with the Governor and I was very happy to see the Governor since we have not seen the Governor very much during this legislative session. And it was a very interesting interview, Mr. President, because the Governor was asked during the interview whether or not he made any threats against any Senators for any of their actions. And he said no, he made no threats. And he was asked if there would be any retaliation against any Senators, and the Governor replied that retaliation was not his priority.

"And then, Mr. President, the question was asked if he in fact could work with you further in the future. And the Governor responded that yes, he could work with you, Mr. President, professionally, and then he brought my name into it, somehow, saying that he could work with me, also, professionally, but not socially and that you don't have to love people that you work with. So I felt very good about that, in a way. And then the Governor did say that he has been hard at work behind the scenes but now it's time to bring the issues into the sunlight. So, since this is the 59th day of the session, I'm very happy that we're finally going to see some sunlight on many of these issues that we've all been concerned about.

"So I was hoping that you had seen it too so that you would feel as warm and fuzzy as I do, Mr. President.

"Thank you very much."

CONFERENCE COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading and on a Senate Concurrent Resolution for Final Adoption. In consequence thereof, and subsequent to its recessing at 8:15 o'clock p.m., the Senate took the following actions:

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. 788, S.D. 2, presented a report (Conf. Com. Rep. No. 49) recommending that S.B. No. 788, 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. 49 and S.B. No. 788, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 392, S.D. 2, presented a report (Conf. Com. Rep. No. 50) recommending that S.B. No. 392, 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. 50 and S.B. No. 392, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 798, S.D. 2, presented a report (Conf. Com. Rep. No. 101) recommending that S.B. No. 798, 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. 101 and

S.B. No. 798, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," 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. 1256, S.D. 2, presented a report (Conf. Com. Rep. No. 102) recommending that S.B. No. 1256, 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. 102 and S.B. No. 1256, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," 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. 223, S.D. 2, presented a report (Conf. Com. Rep. No. 103) recommending that S.B. No. 223, 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. 103 and S.B. No. 223, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," 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. 889, S.D. 1, presented a report (Conf. Com. Rep. No. 104) recommending that S.B. No. 889, 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. 104 and S.B. No. 889, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," 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. 921, presented a report (Conf. Com. Rep. No. 105) recommending that S.B. No. 921, 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. 105 and S.B. No. 921, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," 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. 1158, S.D. 1, presented a report (Conf. Com. Rep. No. 106) recommending that S.B. No. 1158, 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. 106 and S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," 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. 1274, presented a report (Conf. Com. Rep. No. 107) recommending that S.B. No. 1274, 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. 107 and S.B. No. 1274, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 238, S.D. 1, presented a report (Conf. Com. Rep. No. 108) recommending that S.B. No. 238, 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. 108 and S.B. No. 238, S.D. 1, H.D. 2, 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 Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1124, S.D. 2, presented a report (Conf. Com. Rep. No. 109) recommending that S.B. No. 1124, 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. 109 and S.B. No. 1124, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1294, S.D. 1, presented a report (Conf. Com. Rep. No. 110) recommending that S.B. No. 1294, 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. 110 and S.B. No. 1294, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," 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. 450, S.D. 1, presented a report (Conf. Com. Rep. No. 111) recommending that S.B. No. 450, 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. 111 and S.B. No. 450, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," 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. 1518, presented a report (Conf. Com. Rep. No. 112) recommending that S.B. No. 1518, 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. 112 and S.B. No. 1518, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 816, S.D. 1, presented a report (Conf. Com. Rep. No. 113) recommending that S.B. No. 816, 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. 113 and S.B. No. 816, 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 Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1129, S.D. 2, presented a report (Conf. Com. Rep. No. 114) recommending that S.B. No. 1129, 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. 114 and S.B. No. 1129, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," 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. 1235, S.D. 1, presented a report (Conf. Com. Rep. No. 115) recommending that S.B. No. 1235, 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. 115 and S.B. No. 1235, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1238, S.D. 2, presented a report (Conf. Com. Rep. No. 116) recommending that S.B. No. 1238, 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. 116 and S.B. No. 1238, 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.

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. 1157, S.D. 1, presented a report (Conf. Com. Rep. No. 117) recommending that S.B. No. 1157, 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. 117 and S.B. No. 1157, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," 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. 1499, S.D. 1, presented a report (Conf. Com. Rep. No. 118) recommending that S.B. No. 1499, 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. 118 and S.B. No. 1499, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," 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. 1501, S.D. 3, presented a report (Conf. Com. Rep. No. 119) recommending that S.B. No. 1501, S.D. 3, 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. 119 and S.B. No. 1501, S.D. 3, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 131, S.D. 3, presented a report (Conf.

Com. Rep. No. 120) recommending that S.B. No. 131, S.D. 3, 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. 120 and S.B. No. 131, S.D. 3, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," 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. 1452, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 1452, 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. 121 and S.B. No. 1452, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 1583, S.D. 2, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 1583, 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. 122 and S.B. No. 1583, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Senator Tam, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 646, S.D. 2, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 646, S.D. 2, 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. 123 and S.B. No. 646, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," 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. 951, S.D. 1, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 951, 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. 124 and S.B. No. 951, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1635, S.D. 2, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 1635, 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. 125 and S.B. No. 1635, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," 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. 294, H.D. 1, presented a report (Conf. Com. Rep. No. 126) recommending that H.B. No. 294, 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. 126 and H.B. No. 294, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," 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. 635, H.D. 2, presented a report (Conf. Com. Rep. No. 127) recommending that H.B. No. 635, 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. 127 and H.B. No. 635, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 661, H.D. 3, presented a report (Conf. Com. Rep. No. 128) recommending that H.B. No. 661, 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. 128 and H.B. No. 661, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 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. 743, H.D. 3, presented a report (Conf. Com. Rep. No. 129) recommending that H.B. No. 743, 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. 129 and H.B. No. 743, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," 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. 895, H.D. 2, presented a report (Conf. Com. Rep. No. 130) recommending that H.B. No. 895, 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. 130 and H.B. No. 895, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," 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. 122, H.D. 2, presented a report (Conf. Com. Rep. No. 131) recommending that H.B. No. 122, 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. 131 and H.B. No. 122, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," 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. 850, H.D. 1, presented a report (Conf. Com. Rep. No. 132) recommending that H.B. No. 850, 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. 132 and H.B. No. 850, 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 Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 460, H.D. 2, presented a report (Conf. Com. Rep. No. 133) recommending that H.B. No. 460, 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. 133 and H.B. No. 460, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1361, H.D. 2, presented a report (Conf. Com. Rep. No. 134) recommending that H.B. No. 1361, 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. 134 and H.B. No. 1361, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," 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. 252, H.D. 3, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 252, 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. 135 and H.B. No. 252, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," 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. 1660, H.D. 2, presented a report (Conf. Com. Rep. No. 136) 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. 136 and H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," 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. 1085, H.D. 1, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 1085, 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. 137 and H.B. No. 1085, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," 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. 988, H.D. 2, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 988, 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. 138 and H.B. No. 988, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION

FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," 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. 1471, H.D. 1, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 1471, 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. 139 and H.B. No. 1471, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," 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. 100, H.D. 1, presented a report (Conf. Com. Rep. No. 140) 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. 140 and H.B. No. 100, 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 Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1450, H.D. 1, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 1450, 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. 141 and H.B. No. 1450, 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 Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 700, H.D. 1, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 700, 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. 142 and H.B. No. 700, H.D. 1, S.D. 2, 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 Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 86, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 86, 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. 143 and H.B. No. 86, 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 Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 333, H.D. 2, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 333, 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. 144 and H.B. No. 333, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 336, H.D. 1, presented a report (Conf. Com. Rep. No. 145) recommending that H.B. No. 336, 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. 145 and H.B. No. 336, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 978, presented a report (Conf. Com. Rep. No. 146) recommending that H.B. No. 978, 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. 146 and H.B. No. 978, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1280, H.D. 2, presented a report (Conf. Com. Rep. No. 147) recommending that H.B. No. 1280, 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. 1280, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," 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. 20, H.D. 2, presented a report (Conf. Com. Rep. No. 148) recommending that H.B. No. 20, 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. 148 and H.B. No. 20, H.D. 2, 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 Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1095, H.D. 1, presented a report (Conf. Com. Rep. No. 149) recommending that H.B. No. 1095, 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. 1095, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," 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. 1111, H.D. 2, presented a report (Conf. Com. Rep. No. 150) recommending that H.B. No. 1111, 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. 150 and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 953, S.D. 2, presented a report (Conf. Com. Rep. No. 151) recommending that S.B. No. 953, 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. 151 and S.B. No. 953, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1470, presented a report (Conf. Com. Rep. No. 152) recommending that S.B. No. 1470, 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. 152 and S.B. No. 1470, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," 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. 102, S.D. 3, presented a report (Conf. Com. Rep. No. 153) recommending that S.B. No. 102, S.D. 3, 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. 153 and S.B. No. 102, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 513, S.D. 2, presented a report (Conf. Com. Rep. No. 154) recommending that S.B. No. 513, 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. 154 and S.B. No. 513, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," 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. 1032, S.D. 1, presented a report (Conf. Com. Rep. No. 155) recommending that S.B. No. 1032, 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. 155 and S.B. No. 1032, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," 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. 1034, S.D. 1, presented a report (Conf. Com. Rep. No. 156) recommending that S.B. No. 1034, 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. 156 and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," 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. 1229, S.D. 1, presented a report (Conf. Com. Rep. No. 157) recommending that S.B. No. 1229, 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. 157 and S.B. No. 1229, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 844, S.D. 2, presented a report (Conf. Com. Rep. No. 158) recommending that S.B. No. 844, 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. 158 and S.B. No. 844, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," 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. 830, S.D. 1, presented a report (Conf. Com. Rep. No. 159) recommending that S.B. No. 830, 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. 159 and S.B. No. 830, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," was deferred for a period of 48 hours.

Senator Hanabusa, 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. 2, presented a report (Conf. Com. Rep. No. 160) recommending that S.B. No. 1082, 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. 160 and S.B. No. 1082, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," 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. 1127, S.D. 1, presented a report (Conf. Com. Rep. No. 161) recommending that S.B. No. 1127, 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. 161 and S.B. No. 1127, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1144, S.D. 1, presented a report (Conf. Com. Rep. No. 162) recommending that S.B. No. 1144, 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. 162 and S.B. No. 1144, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," 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. 1279, S.D. 2, presented a report (Conf.

Com. Rep. No. 163) recommending that S.B. No. 1279, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," 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. 162, H.D. 1, presented a report (Conf. Com. Rep. No. 164) recommending that H.B. No. 162, 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. 164 and H.B. No. 162, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," 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. 1454, H.D. 2, presented a report (Conf. Com. Rep. No. 165) recommending that H.B. No. 1454, 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. 1454, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," 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. 1138, H.D. 1, presented a report (Conf. Com. Rep. No. 166) recommending that H.B. No. 1138, 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. 166 and H.B. No. 1138, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," 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. 1146, presented a report (Conf. Com. Rep. No. 167) recommending that H.B. No. 1146, 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. 167 and H.B. No. 1146, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," 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. 170, H.D. 2, presented a report (Conf. Com. Rep. No. 168) recommending that H.B. No. 170, 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. 168 and H.B. No. 170, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS," 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. 172, H.D. 1, presented a report (Conf. Com. Rep. No. 169) recommending that H.B. No. 172, 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. 169 and H.B. No. 172, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," 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. 260, H.D. 2, presented a report (Conf. Com. Rep. No. 170) recommending that H.B. No. 260, 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. 170 and H.B. No. 260, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," 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. 274, H.D. 3, presented a report (Conf. Com. Rep. No. 171) recommending that H.B. No. 274, 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. 171 and H.B. No. 274, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," 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. 326, H.D. 1, presented a report (Conf. Com. Rep. No. 172) recommending that H.B. No. 326, 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. 172 and H.B. No. 326, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," 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. 547, H.D. 3, presented a report (Conf. Com. Rep. No. 173) recommending that H.B. No. 547, 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. 173 and H.B. No. 547, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," 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. 1594, H.D. 1, presented a report (Conf. Com. Rep. No. 174) recommending that H.B. No. 1594, 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. 174 and H.B. No. 1594, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," 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. 1663, H.D. 2, presented a report (Conf. Com. Rep. No. 175) recommending that H.B. No. 1663, 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. 175 and

H.B. No. 1663, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 1664, H.D. 3, presented a report (Conf. Com. Rep. No. 176) recommending that H.B. No. 1664, 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. 176 and H.B. No. 1664, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Hanabusa, 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. 1, presented a report (Conf. Com. Rep. No. 177) recommending that H.B. No. 1675, 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. 177 and H.B. No. 1675, 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 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. 1693, H.D. 1, presented a report (Conf. Com. Rep. No. 178) recommending that H.B. No. 1693, 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. 178 and H.B. No. 1693, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," 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. 634, H.D. 1, presented a report (Conf. Com. Rep. No. 179) recommending that H.B. No. 634, 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. 179 and H.B. No. 634, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," 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. 1017, H.D. 1, presented a report (Conf. Com. Rep. No. 180) recommending that H.B. No. 1017, 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. 180 and H.B. No. 1017, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," 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. 1575, H.D. 2, presented a report (Conf. Com. Rep. No. 181) recommending that H.B. No. 1575, 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. 181 and H.B. No. 1575, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 522, H.D. 3, presented a report (Conf. Com. Rep. No. 182) recommending that H.B. No. 522, 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. 182 and H.B. No. 522, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," 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. 854, presented a report (Conf. Com. Rep. No. 183) recommending that H.B. No. 854, 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. 183 and H.B. No. 854, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 765, H.D. 1, presented a report (Conf. Com. Rep. No. 184) recommending that H.B. No. 765, 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. 184 and H.B. No. 765, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," 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. 1198, H.D. 1, presented a report (Conf. Com. Rep. No. 185) recommending that H.B. No. 1198, 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. 185 and H.B. No. 1198, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," 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. 989, H.D. 1, presented a report (Conf. Com. Rep. No. 186) recommending that H.B. No. 989, 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. 186 and H.B. No. 989, H.D. 1, S.D. 2, 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 Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 990, H.D. 1, presented a report (Conf.

Com. Rep. No. 187) recommending that H.B. No. 990, 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. 187 and H.B. No. 990, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," was deferred for a period of 48 hours.

Senator Chumbley, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 157, H.D. 2, presented a report (Conf. Com. Rep. No. 188) recommending that H.B. No. 157, 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. 188 and H.B. No. 157, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1649, H.D. 2, presented a report (Conf. Com. Rep. No. 189) recommending that H.B. No. 1649, 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. 189 and H.B. No. 1649, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," 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. 104, H.D. 1, presented a report (Conf. Com. Rep. No. 190) recommending that H.B. No. 104, 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. 190 and H.B. No. 104, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," 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. 499, H.D. 2, presented a report (Conf. Com. Rep. No. 191) recommending that H.B. No. 499, 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. 191 and H.B. No. 499, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," 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. 1416, H.D. 2, presented a report (Conf. Com. Rep. No. 192) recommending that H.B. No. 1416, 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. 192 and H.B. No. 1416, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate to H.B. No. 1038, H.D. 1, presented a report (Conf. Com. Rep. No. 193) recommending that H.B. No. 1038, 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. 193 and H.B. No. 1038, H.D. 1, S.D. 2, 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 Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 142, H.D. 1, presented a report (Conf. Com. Rep. No. 194) recommending that H.B. No. 142, 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. 194 and H.B. No. 142, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," 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.C.R. No. 184, S.D. 1, presented a report (Conf. Com. Rep. No. 195) recommending that S.C.R. No. 184, S.D. 1, H.D. 1, as amended in C.D. 1, be adopted.

By unanimous consent, action on Conf. Com. Rep. No. 195 and S.C.R. No. 184, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," was deferred until Tuesday, May 4, 1999.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, May 4, 1999.

SIXTIETH DAY

Tuesday, May 4, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 10:15 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Peter Kamakawiwoole, Kalihi Union Church, 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. 358, advising the Senate of the withdrawal of the nomination of CLIFFORD UWAINA to the Board of Trustees, Hawai'i Public Employees Health Fund, under Gov. Msg. No. 236 dated March 11, 1999, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 358, the nomination listed under Gov. Msg. No. 236 was returned.

STANDING COMMITTEE REPORT

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1862) recommending that S.R. No. 70, 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.R. No. 70, S.D. 1, entitled: "SENATE RESOLUTION REVIEWING THE INEFFICIENCY OF GOVERNMENT OPERATIONS CAUSED BY DELAYED SERVICES TO STATE AGENCIES, DEPARTMENTS, AND CITIZENS," was adopted.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1860 (Gov. Msg. No. 303):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1860 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Tri-Isle Subarea Health Planning Council of the following:

JUDY MCCORKLE, terms to expire June 30, 1999 and June 30, 2003;

TIMOTHY T. SHIROMA, term to expire June 30, 2000;

THOMAS R. FITZGERALD, JR., and PATRICIA MARY RAFFETTO, terms to expire June 30, 2001; and

JOHN ORNELLAS, term to expire June 30, 2003,

seconded by Senator Iwase.

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. 1861 (Gov. Msg. No. 236):

Senator Kanno moved that Stand. Com. Rep. No. 1861 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of BRUCE Y. NAKAMURA to the Board of Trustees, Hawai'i Public Employees Health Fund, term to expire June 30, 2000, seconded by Senator Taniguchi.

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

Ayes, 25. Noes, none.

RECOMMITTAL OF BILLS

Conf. Com. Rep. No. 35 (S.B. No. 594, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 35 and S.B. No. 594, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 188 (H.B. No. 157, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 188 and H.B. No. 157, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 194 (H.B. No. 142, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 194 and H.B. No. 142, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were recommitted to the Committee on Conference.

FINAL READING

Conf. Com. Rep. No. 140 (H.B. No. 100, H.D. 1, S.D. 1, C.D. 1):

Senator Levin moved that Conf. Com. Rep. No. 140 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 Fukunaga.

Senator Fukunaga rose to support the measure and said:

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

"Mr. President, we are at the end of a long and arduous road, and while this budget may not contain all of the things which the Senate originally stood for, we believe that it is a strong beginning for us to begin the fiscal 2000 and 2001 biennium with. As we go forward, there will also be a number of initiatives which are reflected in the bills which have come from the various subject matter committees. We would urge that our colleagues support H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, as well as these measures, as the Senate's position in going forward in rebuilding Hawaii's economy.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 140 was adopted and H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Levin rose and said:

"Mr. President, may I be permitted a late introduction?"

"I want to start my remarks by thanking my colleagues for their support on the budget, and then I would like to be permitted to introduce to this body some of the members of the Ways and Means staff who are in the audience who worked so hard in putting this document together as well as the other bills that will be coming up before us. Will they please stand and be recognized, as well as one of the birthday girls, Helen Schoneberg, who was my student intern this year and is celebrating her birthday." (Members of the Ways and Means staff who were seated in the gallery then rose to be recognized.)

At 10:26 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:33 o'clock a.m.

FINAL READING

S.B. No. 21, 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. 21, S.D. 1, and S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 46, S.D. 2, H.D. 2:

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 46, S.D. 2, and S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 550, S.D. 2, H.D. 1:

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 550, S.D. 2, and S.B. No. 550, S.D. 2, H.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, 25. Noes, none.

S.B. No. 588, 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. 588, S.D. 1, and S.B. No. 588, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 591, 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. 591, S.D. 1, and S.B. No. 591, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CUSTODY AND VISITATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 592, 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. 592, S.D. 1, and S.B. No. 592, 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, 25. Noes, none.

S.B. No. 631, 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. 631, S.D. 1, and S.B. No. 631, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 663, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Slom and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 663, S.D. 1, and S.B. No. 663, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 776, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 776 and S.B. No. 776, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 829, 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. 829, S.D. 1, and S.B. No. 829, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 949, S.D. 1, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 949, S.D. 1, and S.B. No. 949, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1021, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1021 and S.B. No. 1021, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1026, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1026 and S.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1049, S.D. 2, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1049, S.D. 2, and S.B. No. 1049, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1055, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1055, S.D. 1, and S.B. No. 1055, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1071, S.D. 1, H.D. 2:

On motion by Senator Inouye, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1071, S.D. 1, and S.B. No. 1071, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1102, S.D. 1, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1102, S.D. 1, and S.B. No. 1102, S.D. 1, H.D. 2, 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. 1130, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1130, S.D. 1, and S.B. No. 1130, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1132, H.D. 1:

By unanimous consent, S.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was recommitted to the Committee on Conference.

S.B. No. 1136, S.D. 2, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1136, S.D. 2, and S.B. No. 1136, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1139, S.D. 1, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1139, S.D. 1, and S.B. No. 1139, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1140, S.D. 2, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1140, S.D. 2, and S.B. No. 1140, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1143, H.D. 1:

By unanimous consent, S.B. No. 1143, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was recommitted to the Committee on Conference.

S.B. No. 1155, S.D. 1, H.D. 2:

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1155, S.D. 1, and S.B. No. 1155, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1163, S.D. 1, H.D. 2:

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. 1163, S.D. 1, and S.B. No. 1163, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO THE RELEASE OF PRE-TRIAL INMATES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1178, S.D. 2, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1178, S.D. 2, and S.B. No. 1178, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1261, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1261, S.D. 1, and S.B. No. 1261, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1282, S.D. 2, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1282, S.D. 2, and S.B. No. 1282, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1421, S.D. 1, H.D. 2:

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. 1421, S.D. 1, and S.B. No. 1421, S.D. 1, H.D. 2, 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.

S.B. No. 1512, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1512, S.D. 1, and S.B. No. 1512, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 3 (S.B. No. 809, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 809, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 4 (S.B. No. 942, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 4 was adopted and S.B. No. 942, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 5 (S.B. No. 1270, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 1270, S.D. 1, H.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 6 (S.B. No. 1307, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 6 was adopted and S.B. No. 1307, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 7 (S.B. No. 1091, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 7 was adopted and S.B. No. 1091, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 8 (S.B. No. 528, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 8 was adopted and S.B. No. 528, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 9 (S.B. No. 1125, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 1125, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (S.B. No. 1262, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 11 was adopted and S.B. No. 1262, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (S.B. No. 1036, S.D. 3, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 13 was adopted and S.B. No. 1036, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 15 (S.B. No. 1079, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Inouye, seconded by Senator Buen and carried, Conf. Com. Rep. No. 15 was adopted and S.B. No. 1079, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (S.B. No. 1638, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Levin and carried, Conf. Com. Rep. No. 16 was adopted and S.B. No. 1638, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20 (S.B. No. 236, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 20 was adopted and S.B. No. 236, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (S.B. No. 27, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 23 was adopted and S.B. No. 27, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 24 (S.B. No. 676, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 24 was adopted and S.B. No. 676, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25 (S.B. No. 700, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 25 was adopted

and S.B. No. 700, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 26 (S.B. No. 823, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 26 was adopted and S.B. No. 823, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (S.B. No. 1119, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 32 was adopted and S.B. No. 1119, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33 (S.B. No. 1485, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 33 was adopted and S.B. No. 1485, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (S.B. No. 285, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tam, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 34 was adopted and S.B. No. 285, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (S.B. No. 616, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 37 was adopted and S.B. No. 616, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39 (S.B. No. 186, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 39 was adopted and S.B. No. 186, S.D. 1, H.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. 40 (S.B. No. 919, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 40 was adopted and S.B. No. 919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (S.B. No. 590, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 41 was adopted and S.B. No. 590, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43 (S.B. No. 36, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43 and S.B. No. 36, S.D. 2, H.D. 1, C.D. 1, was deferred until later on the calendar.

Conf. Com. Rep. No. 44 (S.B. No. 1160, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 1160, S.D. 2, H.D. 2, 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. 46 (S.B. No. 1018, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 1018, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG FORMULARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (H.B. No. 1178, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 1178, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 52 (H.B. No. 1296, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 52 was adopted and H.B. No. 1296, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (H.B. No. 1020, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 1020, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (H.B. No. 1142, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 54 was adopted and H.B. No. 1142, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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 (H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator M. Ige and carried, Conf. Com. Rep. No. 55 was adopted and H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (H.B. No. 1181, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 57 was adopted and H.B. No. 1181, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (H.B. No. 1086, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 58 was adopted and H.B. No. 1086, S.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, 25. Noes, none.

Conf. Com. Rep. No. 60 (H.B. No. 1711, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 1711, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (H.B. No. 4, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kawamoto seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 61 was adopted and H.B. No. 4, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (H.B. No. 500, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 500, H.D. 3, S.D. 1, C.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, 25. Noes, none.

Conf. Com. Rep. No. 68 (H.B. No. 827, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 68 was adopted and H.B. No. 827, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (H.B. No. 1277, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 69 was adopted and H.B. No. 1277, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 70 (H.B. No. 138, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 70 was adopted and H.B. No. 138, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (H.B. No. 562, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 562, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (H.B. No. 945, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 72 was adopted and H.B. No. 945, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73 (H.B. No. 1628, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 73 was adopted and H.B. No. 1628, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (H.B. No. 273, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 79 was adopted and H.B. No. 273, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81 (H.B. No. 325, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 81 was adopted and H.B. No. 325, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (H.B. No. 72, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 82 was adopted and H.B. No. 72, H.D. 2, S.D. 1, 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.

Conf. Com. Rep. No. 83 (H.B. No. 160, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 83 was adopted and H.B. No. 160, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 84 (H.B. No. 161, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 84 was adopted and H.B. No. 161, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (H.B. No. 177, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 86 was adopted and H.B. No. 177, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87 (H.B. No. 955, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 87 was adopted and H.B. No. 955, H.D. 1, 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. 88 (H.B. No. 1496, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 88 was adopted and H.B. No. 1496, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89 (H.B. No. 1497, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 89 was adopted and H.B. No. 1497, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (H.B. No. 1622, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 91 was adopted and H.B. No. 1622, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93 (H.B. No. 1115, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 93 was adopted and H.B. No. 1115, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 97 (H.B. No. 1119, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 97 was adopted and H.B. No. 1119, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 99 (H.B. No. 154, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 99 was adopted and H.B. No. 154, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 100 (H.B. No. 307, 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. 100 was adopted and H.B. No. 307, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101 (S.B. No. 798, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 798, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 103 (S.B. No. 223, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 223, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104 (S.B. No. 889, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 889, S.D. 1, H.D. 1, 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. 107 (S.B. No. 1274, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 1274, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 108 (S.B. No. 238, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 238, S.D. 1, H.D. 2, 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. 109 (S.B. No. 1124, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 1124, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 110 (S.B. No. 1294, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 110 was adopted and S.B. No. 1294, S.D. 1, H.D. 2, C.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.

Conf. Com. Rep. No. 115 (S.B. No. 1235, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 115 was adopted and S.B. No. 1235, S.D. 1, H.D. 1, C.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.

Conf. Com. Rep. No. 116 (S.B. No. 1238, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 116 was adopted and S.B. No. 1238, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 121 (S.B. No. 1452, H.D. 3, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 1452, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 124 (S.B. No. 951, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 951, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS,"

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 128 (H.B. No. 661, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 128 was adopted and H.B. No. 661, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 130 (H.B. No. 895, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Levin and carried, Conf. Com. Rep. No. 130 was adopted and H.B. No. 895, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," 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. 460, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 133 was adopted and H.B. No. 460, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," 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. 1660, 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. 136 was adopted and H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," 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. 978, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 146 was adopted and H.B. No. 978, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 149 (H.B. No. 1095, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Levin and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 1095, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 151 (S.B. No. 953, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 151 was adopted and S.B. No. 953, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 155 (S.B. No. 1032, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 155 was adopted and S.B. No. 1032, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 158 (S.B. No. 844, 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. 158 was adopted and S.B. No. 844, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 159 (S.B. No. 830, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 159 was adopted and S.B. No. 830, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 167 (H.B. No. 1146, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 167 was adopted and H.B. No. 1146, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 168 (H.B. No. 170, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 168 was adopted and H.B. No. 170, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 171 (H.B. No. 274, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 171 was adopted and H.B. No. 274, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 172 (H.B. No. 326, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 172 was adopted and H.B. No. 326, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 175 (H.B. No. 1663, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 175 was adopted and H.B. No. 1663, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 177 (H.B. No. 1675, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 177 was adopted and H.B. No. 1675, 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, 25. Noes, none.

Conf. Com. Rep. No. 179 (H.B. No. 634, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Levin and carried, Conf. Com. Rep. No. 179 was adopted and H.B. No. 634, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 182 (H.B. No. 522, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 182 was adopted and H.B. No. 522, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 189 (H.B. No. 1649, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 189 was adopted and H.B. No. 1649, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 191 (H.B. No. 499, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 191 was adopted and H.B. No. 499, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 192 (H.B. No. 1416, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 192 was adopted and H.B. No. 1416, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL ADOPTION

Conf. Com. Rep. No. 195 (S.C.R. No. 184, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 195 was adopted and S.C.R. No. 184, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," was Finally adopted.

S.C.R. No. 4, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 4, S.D. 1, and S.C.R. No. 4, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS," was Finally Adopted.

At 10:34 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:44 o'clock a.m.

FINAL READING

S.B. No. 779, 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. 779, S.D. 2, and S.B. No. 779, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 896, 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. 896, S.D. 1, and S.B. No. 896, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 901, S.D. 2, 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. 901, S.D. 2, and S.B. No. 901, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1016, S.D. 1, H.D. 1:

Senator Chumbley moved that S.B. No. 1016, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, would you please put me down 'with reservations' on the administrative rules.

"I do remember the Governor on opening day stating that he was going to have the Lt. Governor work on administrative rules and it would help business. I had said at that time that we did have a bill that would have made all rules -- there's some 34 feet of them -- it would have made them all drop dead in two years, and the departments could justify those rules that were needed. That would have helped business, would have made it easier for the people of Hawaii to understand the rules that we have in place because they do have the rule of the law.

"So for that reason I'm going with reservations at this time."

At this time, Senator Slom requested his vote be cast "aye, with reservations," and 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. 1016, S.D. 1, and S.B. No. 1016, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1101, S.D. 1, H.D. 2:

On motion by Senator Tam, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1101, S.D. 1, and S.B. No. 1101, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1131, S.D. 1, H.D. 2:

Senator Taniguchi moved that S.B. No. 1131, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure as follows:

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

"The bill will increase the mandatory insurance payments from \$550 to \$800. I think that's excessive.

"I'll vote 'no.' Thank you."

At this time, Senator Anderson requested his vote be cast "aye, with reservations," and 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. 1131, S.D. 1, and S.B. No. 1131, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1142, S.D. 2, H.D. 1:

Senator Taniguchi moved that S.B. No. 1142, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom requested his vote be cast "aye, with reservations," and 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. 1142, S.D. 2, and S.B. No. 1142, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Conf. Com. Rep. No. 10 (S.B. No. 957, S.D. 2, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 10 be adopted and S.B. No. 957, S.D. 2, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Sakamoto spoke on the measure with reservations as follows:

"Mr. President, I rise to speak with reservations on this measure.

"While I applaud the efforts of the Motor Vehicle Insurance Benefits Task Force and agree that the reporting deadline should be extended, I'm concerned about the section of the bill that expands the free insurance coverage. We already provide free coverage for individuals receiving public assistance benefits consisting of direct cash payments. This measure will also include those receiving public assistance in the form of medical services prior to July 1994 and are still receiving benefits through the Department of Human Services.

"While it's a nice thing to do, it's an increase in cost of government and its time, and we should be doing all possible to decrease costs.

"Thank you, Mr. President."

Senator Slom also rose in support with reservations and said:

"Mr. President, I, too, rise in support with reservations.

"You know, we keep talking about free insurance, free lunches, and everything else. There is no cost attached to this bill. We have a cost for it. And instead of trying to reduce and eliminate those people who are getting the insurance at the cost of other people, we should not be in the process of expanding it. So, reservations please."

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 10 was adopted and S.B. No. 957, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17 (S.B. No. 1519, S.D. 3, H.D. 2, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 17 be adopted and S.B. No. 1519, S.D. 3, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Tam made the following request:

"Mr. President, I have some written remarks I would like to have inserted into the Journal. Thank you."

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

"Mr. President, I rise in support of S.B. No. 1519, Relating to Housing.

"Within our State, there are more than 3,000 federally assisted housing units, which contributed an estimated \$20 million annually to our economy. The original 20-year contracts with the federal Department of Housing and Urban Development are expiring on many of these projects.

"With this act, we propose to:

- (1) Provide protection to residents of HUD assisted housing;
- (2) Preserve as many assisted units as possible from sale on the open market; and
- (3) Create the federally assisted rental housing preservation program.

"This rental housing preservation program will:

- (1) Provide for a one-year notice of termination by the owner;
- (2) Include the anticipated date of termination;
- (3) Include anticipated rent increases;
- (4) Include notice sent to the HCDCH and the county;
- (5) Include a statement of possibility that the project may remain in the federal program; and
- (6) Include timetables and deadlines.

"The right to purchase shall be first provided to:

- (1) The tenant association;

- (2) Local nonprofit;
- (3) HCDCH or county; and
- (4) Regional or national nonprofit or public agency.

"Within my district, the Mauna Kea Towers is in this situation. In the McCully area of town, the McCully Circle Apartments will soon be providing notice. Many of the occupants are elderly and barely able to pay \$150 each month for rent.

"I ask my colleagues in the Senate for your wholehearted support for this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 17 was adopted and S.B. No. 1519, S.D. 3, 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. 18 (S.B. No. 1149, S.D. 1, H.D. 2, C.D. 1):

Senator Nakata moved that Conf. Com. Rep. No. 18 be adopted and S.B. No. 1149, S.D. 1, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator M. Ige.

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I rise in support with reservations.

"I agree that contractors should be penalized for violations relating to wage and hours if they are delinquent. But these penalties, part of it stated in this bill, are too steep. What if the violation occurs in one pay period? The bill states that each employee and each project shall be considered a separate violation. So this could all happen in one pay period to three different individuals, and then there'll be immediate suspension. So I don't think it should be each employee, each project. I think we should look at making the offenses separate.

"Thank you."

Senators Inouye, Slom and Iwase then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 1149, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Conf. Com. Rep. No. 19 (S.B. No. 40, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 19 be adopted and S.B. No. 40, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 40, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 21 (S.B. No. 664, S.D. 1, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 21 be adopted and S.B. No. 664, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Bunda.

Senator Kawamoto rose to support the measure as follows:

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

"Mr. President, this is what I call a 'feel good' bill. It provides the opportunity for civilians that were at Pearl Harbor during the attack to finally have the authority to use or put on their cars their license plates as 'Pearl Harbor Survivors.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21 was adopted and S.B. No. 664, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22 (S.B. No. 709, S.D. 1, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 22 be adopted and S.B. No. 709, S.D. 1, H.D. 2, 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 the purpose of the bill is laudatory, as are so many of the bills we discuss every year, the problem with this bill is, I believe, that basically it's unconstitutional because it creates a presumption that the car owner was the photographed violator, in the bill. Certainly we want to move towards the use of technology in our quest for law enforcement, but at the same time we don't want to do it at the expense of denying civil rights.

"What this bill does is remove the defendant's presumption of innocence and it does so by providing, quote, 'evidence that the motor vehicle described in the citation or summons issued pursuant to this act was operated in violation of those sections of the Hawaii Revised Statutes together with proof that the person to whom this summons or citation was sent was a registered owner of the vehicle at the time of the violation, and it shall constitute prima facie evidence that the registered owner of the vehicle was the person who committed the violation.'

"So what this does, in effect, it retains the unconstitutional presumption of guilt and it requires that the innocent defendant get the actual violator to waive his or her Fifth Amendment rights. And we really don't have to do this because the Hawaii Revised Statutes already provides in Section 291C-223 a procedure for officers to issue summons by mail for violations such as found currently in the high occupancy lane for restrictions. So I'll be voting 'no.'

"Thank you, Mr. President."

Senator Anderson then rose in opposition and said:

"Mr. President, I will be going 'no' for the same reasons as the Minority Floor Leader and I thank you very much."

Senator Kawamoto spoke in favor of the measure as follows:

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

"Mr. President, this bill is just amending something we passed last year. Last year we had the same presumption clauses in the bill and it was passed as an Act. This is just an amendment to further provide the opportunity to ensure these things work.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 22 was adopted and S.B. No. 709, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," 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. 27 (S.B. No. 1502, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 27 be adopted and S.B. No. 1502, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 1502, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 28 (S.B. No. 777, S.D. 2, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 28 be adopted and S.B. No. 777, S.D. 2, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Bunda requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 28 was adopted and S.B. No. 777, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Conf. Com. Rep. No. 29 (S.B. No. 365, S.D. 1, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 29 be adopted and S.B. No. 365, S.D. 1, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I'm going to rise and speak against the bill.

"Again, I think the purpose here is to remove laser pointers from children or minors because of possible injury, because of

possible harassment. But the problem is we continue to ban things and to take away the legitimate use from individuals who act responsibly. And in addition, in the penalty provision of this bill we allow for up to 30 days in prison for the mere possession of a laser pointer.

"I think that again if we are going to worry about where prisons are going to be or where people are going to be, then we should think about that before we pass additional laws that are going to fine and/or imprison people.

"Thank you."

Senator Kanno rose in support of the bill and said:

"Mr. President, I'd like to speak in support of the measure.

"To clarify the provisions of the C.D. 1, the provision for imprisonment was eliminated from the bill for minors. The provision for a 30-day imprisonment applies only to adults who are found guilty of using it to harass others.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 29 was adopted and S.B. No. 365, S.D. 1, H.D. 1, C.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, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Conf. Com. Rep. No. 30 (S.B. No. 947, S.D. 2, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 30 be adopted and S.B. No. 947, S.D. 2, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure and said:

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

"This bill, again, makes the presumption that those of us over 39 really can't take care of ourselves and need special treatment because we are so old and doddering that we can't answer the telephone or hang up on the telephone. But the interesting thing about this bill is that while it seeks to curtail telemarketing fraud, it also seeks to curtail a lot of the activities of telemarketing. While I'm not in favor of telemarketing, itself, again one can just say no and one can hang up.

"The provision that was changed that I arose and spoke against during the crossover about the number of rings has now been changed to a time limit on it. And one final interesting thing is that financial institutions have been exempted from this bill. So I don't think it's really offering us consumer protection.

"I'll be voting 'no.'"

Senator Anderson also rose to oppose the measure as follows:

"Mr. President, I'll also be going 'no.'"

"It does say that there's \$40 billion a year of fraud within the United States, but when we asked about in Hawaii, we don't have a problem right now with fraud. The bill was in case there is and later on. And then as the Minority Floor Leader said, it was supposed to be that they were going to help the seniors. They weren't interested in other areas. Most of the seniors I

talked to are smart enough and intelligent enough to hang up and they don't fall for every line that somebody has.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 30 was adopted and S.B. No. 947, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," 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. 31 (S.B. No. 630, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 31 be adopted and S.B. No. 630, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 31 was adopted and S.B. No. 630, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36 (S.B. No. 628, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 36 be adopted and S.B. No. 628, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to support the measure with reservations as follows:

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

"My reservations concern what groups or individuals would be considered a ballot issue committee. I believe it's beneficial to society and government that citizens become actively involved in the process, and I think we should do all possible to enable participation in the process of governance and law making. I'm concerned that this measure, this part of the bill, will hinder that effort.

"Thank you, Mr. President."

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 36 was adopted and S.B. No. 628, S.D. 1, H.D. 1, 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.

Conf. Com. Rep. No. 38 (S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 1003, 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. 42 (S.B. No. 1118, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 42 was adopted and S.B. No. 1118, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (S.B. No. 822, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 45 be adopted and S.B. No. 822, S.D. 2, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose in opposition and said:

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

"I have continually spoken against mandates, whether it is, in this bill, contraceptive devices or other devices.

"The original purpose of the prepaid health care act in 1974 was to provide basic medical services, and since that time we've added many additional services and other things that are not related directly to health at great cost, primarily to small business employers who pay usually from 90 to 100 percent of all the cost. There has been no change in the law since 1974 in terms of the contributions that employees can make. So I'll vote 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 45 was adopted and S.B. No. 822, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," 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. 47 (S.B. No. 1128, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 47 was adopted and S.B. No. 1128, S.D. 2, 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. 48 (S.B. No. 1145, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 1145, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (H.B. No. 1177, H.D. 2, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 56 be adopted and H.B. No. 1177, H.D. 2, S.D. 1, C.D. 1, having

been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 56 was adopted and H.B. No. 1177, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (H.B. No. 1028, H.D. 1, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 59 be adopted and H.B. No. 1028, H.D. 1, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

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

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

"Well, this bill had a spotty history during this session. We were supposed to do something to help the merchants at Aloha Tower, and we were supposed to do something to keep the State's promise from the outset on this project.

"The battle over this particular bill -- the Aloha Tower Marketplace -- really came down to whether or not we would do anything against the estate of the Irwin family and Irwin Park. And to the credit of this body, we stood firm in opposition to paving over the park as a park into a parking lot, but at the same time as this bill comes out now, it doesn't do anything to alleviate the original problem or to restore the promise made by the State when it first developed this project and that was the State said very specifically 'we will provide parking; we will use Piers 1 and 2 or 5 and 6 or 8 and 9 or 10 and 11.' And so the State hasn't done anything. And meanwhile, the viability, the economic prosperity of this project remains in doubt.

"So if anything, this lesson should be twofold: (1) we should certainly honor wills and the wishes of estates; and (2) we should make this State keep its promises or 'let the buyer beware' whenever they go into any kind of business with the State government.

"Thank you, Mr. President."

Senator Anderson rose to oppose the measure and stated:

"Mr. President, I will be going 'no' for the very reasons that the Minority Floor Leader talked about.

"We did nothing to take care of the problems that were before us. I have no problem with civil service employees, but that's not what the intent of this bill was in the first place. And again, it's something that we start out well. We were going to make a lot of corrections. We were going to help a development that we were responsible for. Yet, we're not going to take care of the parking and the rest of the responsibilities that we've taken on.

"For that reason I will go 'no.'"

Senator M. Ige spoke on the measure with reservations as follows:

"Mr. President, I, too, rise with some reservations.

"Mr. President, during the testimony there were a lot of businesses from the area who came who need parking. I think that was the original purpose of the bill. Unfortunately, the bill that comes before us does not solve the issue as the two previous speakers mentioned.

"In speaking to the chair of the Transportation Committee, this appears to be an economic development issue. It's just unfortunate that we did not have the courage to say we're going to build a parking structure at Pier 5 to provide the parking for these individuals.

"Unfortunately, we didn't do a lot of things, and I just hope that during the interim we can look at the cruise ships and how the whole thing fits into this master plan with Pier 2, Pier 5, Pier 10 and 11 and the monies.

"As the chair of Transportation also stated, there's another bill coming up that looks at Pier 2, the Foreign Trade Zone, monies which I will be speaking on. But on this one, it's just a very sad day that we did not seize the opportunity for the merchants out there that are suffering because they don't have the parking.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 59 was adopted and H.B. No. 1028, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," 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. 63 (H.B. No. 806, H.D. 2, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 63 be adopted and H.B. No. 806, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure as follows:

"Mr. President, I'm afraid I'm going to have to go 'no' on this particular measure.

"I did go 'with reservations' so that it could go to conference, and from what we can understand from our attorney, the land change is against our Hawaii Revised Statutes. It clearly spells out how and why we should go ahead and exchange lands and this is not one of the purposes. Because of all of those reasons it is not the reasons of the neighbors or anything, but because it's against the laws that we have in place on land. And I would have hoped that everybody would have read that so that we would not just push the bill forward to allow a race track that hopefully will stimulate the economy, but not on illegal lands.

"Thank you very much, Mr. President."

Senator Inouye rose to speak against the bill and said:

"Mr. President, I will be voting 'no' on this bill for the simple reason that my constituents feel that they should be told about this beforehand and that they would certainly want to have some say in making decisions in the land exchange, as well as the particular site in question.

"Thank you, Mr. President."

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 63 was adopted and H.B. No. 806, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Chumbley, Ihara, Inouye, Matsunaga, Slom).

Conf. Com. Rep. No. 64 (H.B. No. 1522, H.D. 1, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 64 be adopted and H.B. No. 1522, H.D. 1, 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 and said:

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

"This bill exempts county property tax assessors from the real estate appraiser licensing requirements. And as I pointed out when this bill crossed over before, the problem is that I believe that the county appraiser should be held to the same standards as all other real estate appraisers. And in the past we've seen, particularly here in the City and County of Honolulu, falsification of appraisal values by county appraisers on behalf of the Mayor and the City administration in order to get higher property taxes from the hotel and commercial interests.

"So in fairness to all and in the idea of everybody playing by the same rules, I urge my colleagues to vote 'no' on this bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 64 was adopted and H.B. No. 1522, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," 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. 65 (H.B. No. 602, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 65 be adopted and H.B. No. 602, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Bunda.

Senator Slom rose to speak against the measure as follows:

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

"Well, you know, I sat through the hearings and we had proposed an increase from \$5 for the penalty and we proposed it up to \$10. We were going to double it, but the House, you know they like to spend a lot more money and have bigger fines. They went all the way up to \$50 and the justification was: Well, that's the way it is for cars, but the trailer is not a car. And I couldn't find any additional justification to raise the fine ten times, so I'm forced to go 'no.'

"Thank you."

Senator Kawamoto rose to support the measure and said:

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

"Mr. President, we looked at the \$10 charge versus the \$50 charge. The City came by and said that they're having problems. Again, this is a penalty -- if you don't register your trailer, you pay \$50; the same as a car. The car penalty has been working very well. The registration has been up as far as

if you sold the car. They would like to have the same method, the same remedy for the trailers not being registered. So we agreed with the City and County and also with the House.

"Thank you."

Senator Anderson rose in opposition to the bill and said:

"Mr. President, I'll be going 'no' for the very reason that the, I'm afraid the committee chairman. If the City needs to raise funds, I don't think that all you have to do is look at raising fees to the constituency. I think they should go ahead and do them the way they're supposed to, not raise every little bit here and there to make up the shortfall that they have. I think it's an unjust way, and for that reason I'll be going 'no.'

"And I wish that the Minority Floor Leader's words and the words of the chairman will also be inserted as my own.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 65 was adopted and H.B. No. 602, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," 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. 66 (H.B. No. 719, H.D. 2, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 66 be adopted and H.B. No. 719, H.D. 2, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure as follows:

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

"It seems innocuous enough. We're only going to raise the fee from \$1 to \$2, although it's doubling the fee, and it's supposed to be for abandoned vehicles and for beautification. And who can be opposed to that, particularly the neighbor islands which have a real problem with abandoned vehicles and we certainly should take care of that. However, as testimony during the hearings on this bill showed, some of the counties look at this as an additional source of revenue. In fact, the City and County came in and testified when the bill originally proposed \$3, and it was even suggested \$5, that this would be a way of adding 17 more employees to the payroll.

"The bill does not absolutely require that the additional revenues be limited to beautification and/or removal of abandoned vehicles. And I am absolutely confident that if we double it this year we'll come back next year to double it again. And all of these \$1, \$2 increases continue to add up for the people in this State that are still the highest taxed, highest regulated people in the nation.

"Thank you, Mr. President."

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

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

"Mr. President, this bill came to us. Many members thought that if we go from \$1 to \$3, that would be sufficient. But since then, we have taken out the beautification part of the bill. It only addresses abandoned vehicles and this \$1 increase would help the neighbor islands. But also, we had some problems with the U-Drives, so we exempt the U-Drives from this bill.

So the charge is \$1 to \$2 to help the neighbor islands and the Honolulu district with the abandoned vehicles.

"Thank you."

Senators Iwase and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 719, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," 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. 67 (H.B. No. 221, H.D. 2, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 67 be adopted and H.B. No. 221, H.D. 2, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and stated:

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

"I think the efforts of the committee in trying to hammer out the agreements and changes in both the HTA and also the Convention Authority are very laudable, but there is an egregious portion in this bill that I cannot support. This bill would allow the HTA board to 'withhold from public inspection and copying, any consultant's report and internal analysis related to the formulation of the strategic tourism marketing plan if, in the opinion of at least two-thirds of the HTA Board members, public disclosure of the documents would frustrate the ability of HTA to implement its strategic tourism marketing plan and maximize the economic benefit of its expenditures, contracts, and agreements.' It allows the HTA Board to 'discuss such documents' privately behind closed doors 'in executive session.'

"Mr. President, I've spoken against bills like this for the last three years. We are turning off the sunshine in this State. We are taking more things behind closed doors. The public has the right, they have a duty, they have an obligation to know what's going on, particularly if it's their money. If it's a private organization and they're ponying up their own money, let them do what they want, but we're spending the people's money and telling them that they don't have the right to see these things.

"Now I was told, Mr. President, that the reason that this is important is because suppose they're looking at a consultant's plan and we have 'spies' from Mexico or the Caribbean who want to find out about our plan. Mr. President, I think that they are doing well enough in Mexico and the Caribbean and all points around the world that they don't have to copy our plans. I think we're really concerned whether or not we ever have any plans. We know that we're spending money. We know that we're not getting results. So I think the more sunshine we can have on this, the better, and I would urge a 'no' vote on this bill.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 221, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:23 o'clock a.m.

Conf. Com. Rep. No. 74 (H.B. No. 1637, H.D. 2, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 74 be adopted and H.B. No. 1637, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Anderson rose to speak against the bill and stated:

"Mr. President, I'm afraid I'm still going to go 'no' on this particular measure.

"It started out when we were discussing this that the safety of our children was looked at because of the use of those buses that did not have the proper safety standards that the Department of Transportation had asked for a few years back. I see that that's not in the bill anymore. So they've just actually said we don't have to worry about safety.

"I think that when we had our old buses, if you remember, Kamehameha was blue and white; Punahou was buff and blue. We had a lot of the preschools that had little children on them and the whole bit. And then when the federal government said you had to come up by certain standards, you had to build a structure that would make it so if the bus got into an accident it was going to be stronger. Every bus had to be painted yellow. They had to follow a standard and they had to make sure that standard was going to be safety for our children. That's why they were painted yellow so that everybody knew it was a school bus.

"In this particular measure it says, availability if they do not have a bus that's going to be used with a bottom structure, I guess for bands or football equipment. Well, my understanding from some of the school bus people is they do have those types of buses. All they have to do is let them know ahead of time if they're going to be available or not on a particular day. This one says if they're not available, so I'm not sure how much time they have to give the bus company to make sure if that bus is going to be available.

"It also says to define a motorcoach as 'a vehicle that carries more than 25 passengers, has a gross vehicle weight rating of at least 26,000 pounds and is no more than 15 years old.' Again, it doesn't say anything about the safety for the children. Is that bus because it's 15 years old has it been upgraded, like you do your cars a lot of times? There's nothing in here that really reads out what we're doing for the children and what we're doing to the Department of Transportation to make them a more responsible department.

"For those reasons, I'll be going 'no', Mr. President."

Senator Kawamoto rose to speak on the measure with reservations and said:

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

"The primary concern I have, Mr. President, is that since it was safety of a vehicle and DOT's responsibility, this bill did not come to our committee. Therefore, I would like to go 'WR' at this time."

Senator Bunda requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 1637, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, M. Ige, Tanaka).

Conf. Com. Rep. No. 75 (H.B. No. 167, H.D. 3, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 75 be adopted and H.B. No. 167, H.D. 3, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Sakamoto rose in support of the bill with reservations and said:

"Mr. President, I rise in support with reservations.

"Mr. President, I strongly support safety on our roads, especially for the teenagers, and I support the efforts of the Transportation chair to provide necessary training to increase the safety of children and drivers in our State. But, before we require proof from every applicant under the age of 18 that he or she has completed a driver education program, including a behind-the-wheel driver training course certified by the Department of Transportation, we should have the program in place and be sure that the program can accommodate all children throughout the State at a cost we can afford. A mandate should not be put in place until we're sure we can do our part to fulfill it.

"Thank you."

Senator Iwase requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose to support the measure as follows:

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

"Mr. President, this is one of the bills that the youth are trying to save youth, and there was a youth-in-action group that came out and came out strong from Maui County and Honolulu County to support this bill. Although it's not as far reaching as they wanted, it is a bill providing to save lives for young people. And when you have youth trying to save youth's lives, it's important for us to act on such a bill.

"Thank you."

Senator Levin spoke in favor of the measure with reservations as follows:

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

"I would ask that the remarks of the Senator from Moanalua be incorporated in the Journal as if they were my own.

"We do have an obligation to provide services if we're going to mandate services.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 75 was adopted and H.B. No. 167, H.D. 3, 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 (Fukunaga).

Conf. Com. Rep. No. 76 (H.B. No. 32, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 76 be adopted and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Sakamoto then rose and said:

"Mr. President, may I have some remarks inserted into the Journal, please."

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

"The purpose of this bill is to allow privately funded industrial hemp research to be conducted in Hawaii.

"Mr. President, I speak in opposition to H.B. No. 32, H.D. 2, S.D. 2, C.D. 1. To my colleagues who have rejected this dangerous bill in a previous session, I again request your indulgence in voting it down. To my colleagues who chose to vote for the bill before, I beseech your utmost attention to its proposed purpose and the potential adverse impact it could create.

"Mr. President and my fellow Senators, there is no economical or environmental justification for the introduction of hemp cultivation in Hawaii. Ask the expert, Mr. J.W.A. (Doc) Buyers, Chairman and Chief Executive Officer of C. Brewer and Company, who has been in diversified agriculture for the past 23 years. He said that hemp is not nor can it ever be an economically viable agricultural crop in Hawaii. He was astounded that this bill was passed out of the Senate when there is no harvesting equipment, processing plant, market plan, or infrastructure for growing hemp in Hawaii. How can we compete with countries such as Russia, China, Canada, Mexico, etc. that have a large population base and cheap labor?"

"Mr. President, there is no economical or environmental sound justification for legalization and reintroduction of hemp cultivation in North America or Hawaii. Ask the expert, The Coalition for a Drug-Free Hawaii. It stated that the campaign to reintroduce hemp as a viable agriculture commodity is one of a number of strategies being promoted by the pro-drug lobby to legalize marijuana. This may or may not be true in this case, but why should anyone invest \$200,000 to experiment/research a commodity that can be done cheaper elsewhere. Mr. President, for this reason, this project is suspicious from the very beginning.

"Mr. President, a couple of days ago, a Big Island House member circulated a newspaper article from the Hawaii Tribune-Herald of April 26, 1999 titled: 'Big Isle Eyed for Ethanol Plant.' The inference there was the potential for hemp as a potential for petroleum fuel. Mr. President, ask the expert, Dr. Robert G. Robinson, Ph.D, Professor Emeritus, University of Minnesota, Department of Agronomy and Plant Genetics, who grew hemp for crop research purposes. He stated that the claim that hemp is needed to replace petroleum fuel is misleading because corn is already meeting market demands. Other plants such as sorghum, sugar cane, and sugar beets can be and are being used worldwide for that purpose.

"Mr. President, what kind of message would H.B. No. 32 give to our kids and the community if we pass it out? Ask the experts: The Honolulu Police Department is opposed to the bill because of the message it will convey regarding Hawaii's drug policy.

"Mr. President, even the Democratic Party of Hawaii is opposed to the cultivation of industrial hemp. At the Hawaii County Democratic Committee and at the State Convention of Democrats, the members rejected a resolution on hemp cultivation.

"Mr. President, I am voting 'NO' on H.B. No. 32 and I hope all my colleagues will join me in rejecting this bill. I do believe the people of this State are telling us to vote it down. It is timely that we listen to the wishes of the people!"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 11 (Buen, Chun, Hanabusa, M. Ige, Iwase, Kawamoto, Matsuura, Nakata, Sakamoto, Tam, Tanaka). Excused, 1 (Fukunaga).

Conf. Com. Rep. No. 77 (H.B. No. 212, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 212, H.D. 1, S.D. 1, 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 (Fukunaga).

Conf. Com. Rep. No. 78 (H.B. No. 1401, H.D. 2, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 78 be adopted and H.B. No. 1401, H.D. 2, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Sakamoto rose in opposition to the bill and said:

"Mr. President, I rise in opposition.

"I agree that tow operators should be covered by insurance to protect the owners of the towed vehicles in the event of vehicle loss or damage due to towing. I don't agree that if there's a judgment against the tow operator that the damages should be punitive damages three times, and in addition to costs and attorney's fees. And if the tow operator wins, there's no compensation for them. But this three times punitive damages, that's just too much."

Senator Bunda rose in support of the measure and said:

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

"This is a consumer protection bill, Mr. President. I believe this bill really protects the owners of towed vehicles. And if the companies are derelict in not having financial responsibility, I really do believe they should be liable, and the \$1,000 travel damages should be fair and it puts them on notice.

"Originally the bill had a \$15,000 bond, but the penalties in Section 480-13 matches the penalties in the Unfair and Deceptive Trade law.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 1401, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Sakamoto). Excused, 1 (Fukunaga).

At 11:32 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.

Conf. Com. Rep. No. 80 (H.B. No. 171, H.D. 2, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 80 be adopted and H.B. No. 171, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom rose to speak against the measure as follows:

"Mr. President, even though there are many good aspects to this bill, I'm going to have to vote 'no' on this bill.

"I think those of us who have been faced with real life situations with people in the immediate family and those of us concerned about ourselves in terms of final medical decisions to be made want to have options and alternatives, and the idea of a surrogate is a very positive thing. However, this bill has a number of troubling aspects, not the least of which is that in terms of the hierarchy of agents to surrogates and to guardians, the physician himself or herself is not mentioned specifically.

"A number of people have been very concerned about other aspects of this bill. So, as I say, while the idea is laudable, I think we really should pay a little bit more attention to what people's concerns are and craft a better bill.

"Thank you."

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I rise in support with reservations.

"The Judiciary co-chairs and Human Services chair have worked greatly to improve the bill, but I still have concerns about placing the burden on the surrogate. When do you decide to withhold food and water? If it's your mother, your child lying there and you decide to stop the food and water and then a cure is found, what then? We don't want to have a patient die due to lack of food and water, Mr. President."

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 80 was adopted and H.B. No. 171, 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, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 85 (H.B. No. 165, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 85 was adopted and H.B. No. 165, H.D. 1, S.D. 1, 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.

Conf. Com. Rep. No. 90 (H.B. No. 266, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 90 was adopted and H.B. No. 266, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS

BREASTFEEDING PROMOTION AND PROTECTION ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 92 (H.B. No. 351, H.D. 2, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 92 be adopted and H.B. No. 351, H.D. 2, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom rose in opposition to the measure and said:

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

"Again, the idea of the bill is terrific -- to provide privacy of health care information. But the question is, does the bill really do that and will the law really do that? A number of health care professionals have expressed very strong reservations and concerns that the privacy, in fact, will not be protected. For these reasons, I'm going to vote 'no.'"

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92 was adopted and H.B. No. 351, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 94 (H.B. No. 1117, H.D. 3, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 94 be adopted and H.B. No. 1117, H.D. 3, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Sakamoto rose to speak on the measure with reservations as follows:

"I rise to speak with reservations, Mr. President.

"Similar to my comments before, I believe more effort should be spent in keeping the family together, not hurrying the time to take the child out of the family."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 94 was adopted and H.B. No. 1117, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 95 (H.B. No. 1088, H.D. 2, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 95 be adopted and H.B. No. 1088, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"I don't know why we need a study to study this. We study everything all the time. And I think that, again, what we're doing is putting the parents farther away from the educational system and then we wonder why our educational system is not reformed or getting better.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 95 was adopted and H.B. No. 1088, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," 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. 105 (S.B. No. 921, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 921, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 111 (S.B. No. 450, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 111 was adopted and S.B. No. 450, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 114 (S.B. No. 1129, S.D. 2, H.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 114 be adopted and S.B. No. 1129, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Tam rose on a conflict ruling as follows:

"Mr. President, I may have a possible conflict of interest. I sell life insurance."

The Chair ruled that Senator Tam was not in conflict.

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 114 was adopted and S.B. No. 1129, S.D. 2, H.D. 2, 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. 117 (S.B. No. 1157, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 117 was adopted and S.B. No. 1157, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 119 (S.B. No. 1501, S.D. 3, H.D. 3, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 119 be adopted and S.B. No. 1501, S.D. 3, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator D. Ige rose in support of the measure and said:

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

"Mr. President, charter schools are really break the mold schools. It's an attempt to redefine and start with a blank sheet of paper to define public education across the country.

"This measure before us provides a broad framework for empowering schools and communities to be different. It empowers them with the ultimate waiver, the waiver from all laws except a limited number -- collective bargaining, discrimination, and other essential laws. It is an emphatic statement that we trust those closest to the students, closest to the children to make any and all decisions on their behalf.

"This is a broad, sweeping measure that allows anyone to initiate a proposal for a charter school, whether it be a group of business and residents in Kihei on the Island of Maui wanting to create a high school of the future, or Hawaiian language immersion teachers at Honokaa High School, or the Chamber of Commerce creating an opportunity to be very different. Any and all of them can initiate a proposal for a new century charter school.

"This is an integrated program that integrates conversion of the existing schools or new start-up schools or even schools within a school to be charter schools. It allows for new collective bargaining agreements, even those that may be entirely different from existing master contracts. It allows for schools to define new procedures for selection of personnel. It allows for charter schools to truly chart their own destinies in being different from the system.

"Mr. President, this is a comprehensive measure that I believe will be critical in pursuing and making schools different and better for all of our students and children. I urge all of my colleagues to vote in support.

"Thank you."

Senator Chumbley rose in support of the measure as follows:

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

"Mr. President and colleagues, there's a sleeper in every session and there's been some criticism from the media and those outside of these chambers that we are doing nothing for public education, well this is the sleeper, Mr. President. This bill will, in fact, allow many of our communities and many of those who want to think outside of the box the opportunity to do so.

"I'd like to commend the chair of the Education Committee for his efforts in working so hard on this measure. The chairman was involved in the creation of the student centered schools back in 1993 when I had the opportunity to serve as his vice chair in the Education Committee, and now again, with the new century schools, he had a very strong hand in its creation.

"Mr. President and colleagues, this is really something that I think you can take back to your communities that will make a difference in public education. I urge all my colleagues to support this measure.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 119 was adopted and S.B. No. 1501, S.D. 3, H.D. 3, 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, 25. Noes, none.

Conf. Com. Rep. No. 122 (S.B. No. 1583, S.D. 2, H.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 122 be adopted and S.B. No. 1583, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator D. Ige spoke in favor of the measure as follows:

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

"Mr. President, Hawaii stands at the dawn of a new millennium with strategic choices to make that will determine our future. Hawaii is geographically the most isolated community on earth. This has limited the economic opportunities that we could pursue in the past. The new economy is global. It is digital. It is knowledge-based and networked. It is driven by the convergence of the computing, communications and content industries. Innovation and intellectual capital is more important than physical or natural resources. Geography no longer matters in the economy of the twenty-first century. Each and every opportunity lies before us if we are bold enough to pursue it.

"Mr. President, there are no quick fixes, no magic bullets to turn our economy into a digital economy, but S.B. No. 1583 charts a strategic course to ensure that Hawaii prospers in the twenty-first century. First of all, Mr. President, we create a special advisor to the governor for technology to ensure that we get expert advice in charting this course. One of the primary roles of this adviser would be to look at the alphabet soup of technology agencies across state government and recommend a consolidated effort to ensure integration and focus by all of state government.

"We also provide for the special advisory council on technology development to provide assistance. We hope to include Hawaii expatriates on the council who have expressed interest in helping Hawaii define a successful technology future -- people such as Dan Case, currently CEO of the largest investment banking firm in Silicon Valley focussed on technology development, a former Hawaii resident who believes that we can create a technology future for Hawaii; people like Ron Yara, a graduate of Lanai High School who went and started as a chip designer at Intel, a small little company in the early '70s. He has since started two successful start-up chip design companies in Silicon Valley and is semi-retired at the relatively young age of 50. He now spends his time looking at new start-up businesses that may provide additional potential business opportunity, and he desperately wants to help Hawaii create quality jobs for our people and our children.

"Mr. President, everyone we met in Silicon Valley stated that the number one priority in attracting high tech companies is the quality of people. There is a horrendous global shortage of information technology workers. Currently, there are 190,000 IT jobs vacant across the country. By the year 2005 it is estimated that more than 750,000 IT jobs will lie vacant because of lack of qualified people.

"Mr. President, we heard over and over on our trip to Silicon Valley that if you have the workers, the companies will come. It is a common theme. Senate Bill 1583 focuses on workforce development to build the talent pool required to attract IT businesses to Hawaii.

"For the public schools, we initiate the E Academy, a public/private partnership that focuses on networking skills for high school graduates. Seventeen of the thirty-eight high schools across the State will be implementing either the Cisco or 3Com curriculum which will be training high school students to become network technicians. These students will graduate from high school and be employable directly into IT jobs across the State.

"We also make an investment in the millennium workforce development training program, another joint venture between public and private sectors, focussed on ensuring that we have skilled residents to fill technology jobs that currently go to outside residents because of lack of qualified applicants. We are making a strategic investment in the University of Hawaii through the community colleges system to ensure that we do a better job of matching resident skills with future jobs.

"And finally, Mr. President, it makes a vital investment in the internet infrastructure of the world. It endorses U.H. participation in the Hawaii internet exchange and ensures that Hawaii becomes the hub of the Pacific on the internet, rather than just a pass-through point.

"Mr. President, I urge all my colleagues to vote in favor of this measure and I would like to yield to my friend and colleague from the Big Island who will talk about the investment and tax portions of this measure."

Senator Inouye also rose in support of the measure as follows:

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

"First of all, let me say that this measure is part of a package of bills that will help to turn our economy around. First and foremost, Mr. President, we must reduce the cost of doing business in Hawaii for all businesses. The 'depyramiding' of the general excise tax for services will reduce costs for all businesses and help them be competitive in the global economy. This is the cornerstone of our economic recovery.

"We have also leveled the playing field for our service businesses by exempting exported services from the GET and levying a use tax on imported services. This is very critical in supporting knowledge-based service industries such as engineering, architectural, legal, and other professions as they expand to provide services throughout the Pacific and the world.

"Senate Bill 1583 provides several key provisions that provide a strategic advantage for the digital economy of the twenty-first century.

"First, we commit Hawaii to be an Internet Tax-Free Zone through the year 2005. There will be no new taxes on internet-based businesses that currently exist or are established in Hawaii.

"Next, we must create an environment that encourages and attracts innovators and creative entrepreneurs. We provide both businesses and individuals exemptions from taxes on stock options, royalties and other income derived from copyrights and patents from high technology businesses. We expanded the federal definition of high tech businesses to include software development companies. This will help support local efforts to start high tech companies and help to attract companies from Silicon Valley and other areas.

"In addition, we have provided tax credits for investments in high tech businesses in Hawaii and allow financial institutions and insurance companies to also benefit from investments in high tech businesses. This should help to increase capital available for companies in Hawaii.

"I would like to note, Mr. President, that these measures were carefully crafted to ensure that the impact of these tax incentives on the current financial plan is negligible. Tax Direct Ray Kamikawa has been very involved to insure that the incentives were focused in the areas that would provide maximum benefit with minimal revenue losses.

"Finally, Mr. President, the state budget (H.B. No. 100) includes a \$1 million investment in the Hawaii Strategic Development Corporation so that we can provide additional start-up and venture capital to Hawaii companies. This will make it easier for Hawaii entrepreneurs to get access to capital to start their businesses.

"Senate Bill 1583 provides a comprehensive program to nurture and support the growing high tech industry in Hawaii. I urge all my colleagues to support it.

"Thank you."

Senator Fukunaga rose to speak on the measure and said:

"Mr. President, I'd like to commend the chairs of the Economic Development and Education and Technology Committees for their hard work.

"I have some additional written remarks that I'd like inserted into the Journal, underscoring the tax incentives and benefits which we believe will really help stimulate high tech business in Hawaii.

"Thank you."

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

"I'm especially proud of the way that these technology tax incentives and other tax relief can give Hawaii a major competitive advantage as a place to live and to conduct Information Age business. Today, with the cost of doing business in Silicon Valley rising exponentially, Hawaii's quality of life offers an appealing alternative to businesses looking for a way to combine entrepreneurial opportunities while enjoying an island lifestyle. Senate Bill 1583 will give these businesses an immediate boost through the following tax benefits:

Hawaii Internet Tax Freedom Act (Section 9)

- This section prohibits the imposition of discriminatory taxes on electronic commerce or Internet access, for taxable years 2000-2005.
- Discriminatory taxes include instances in which an Internet service provider (ISP) is deemed to be an agent of a remote seller for tax purposes solely as the result of displaying information from, or processing orders through, an out-of-state server or access provider; or in which the ability to electronically access a site on an out-of-state server is considered to be a factor in determining tax collection obligations.

Stock Options Exemption (Section 20)

- This section exempts from income taxation all income received from stock options from qualified technology businesses by an employee (which would otherwise be taxed as ordinary income or capital gains), and is applicable to taxable years beginning after December 31, 1999.
- The definition of qualified high tech businesses includes those that perform qualified research (research that is technological in nature and the application of which is intended to be useful development of new or improved business components), as well as software development

companies. Operations of qualified high tech businesses are not limited to the State of Hawaii.

Royalties and Other Income Exclusion (Section 22)

- Excludes from income taxation those amounts received by an individual or qualified high tech business as royalties and other income from copyrights/patents owned by an individual or qualified high tech business, and/or developed by a qualified high tech business.
- Uses the same definition of qualified high tech businesses as the stock option tax exemption and is applicable to taxable years beginning after December 31, 1999.

Tax Credit for High Tech Business Investment (Sections 24, 26 and 27)

- Allows taxpayers an investment income tax credit for an amount equal to 10 percent of an investment made (up to \$500,000 for the taxable year) in a qualified high tech business. The excess tax credit can be used for subsequent tax years if the tax credit exceeds the taxpayer's net income tax liability.
- Uses the same definition of qualified high tech business as the stock option tax exemption, but is limited to those qualified high tech businesses operating in Hawaii. It allows financial institutions and insurance companies to use the tax credit for a period beginning at the time the bill is approved; it is otherwise applicable to income tax liability as of January 1, 1999 through 2005.

Tax Credit for Increased Research Activities (Section 25)

- Allows a tax credit for increased research activities performed in Hawaii by conforming State tax provisions to the federal IRC Sections 41 and 280, relating to qualified research. The excess tax credit can be used for subsequent tax years if the tax credit exceeds the taxpayer's net income tax liability.
- Applicable to taxable years 2000 to 2005."

Senator Nakata also rose to speak on the measure as follows:

"Mr. President, I, too, would like to commend the work of our Education chair. I believe this is the most important bill that we'll be passing in this session, and he has quietly and effectively worked at creating this and provided the leadership that has brought it to this point.

"Thank you."

Senator Anderson spoke on the measure with reservations as follows:

"Mr. President, I'll go with reservations. I do commend everybody.

"I think it's important that we have high tech. However, I find it interesting that we're giving the 9th graders and up . . . they're going to be provided with e-mail service. I find nothing in the bill that's going to provide the criteria as to how we're going to pay for it. The BOE is not in there as far as how we're going to take care of that. And while the internet access -- and that's not in the bill -- is often important for research, etc., is the e-mail that critical? And many students who utilize this, I see no mechanism that it will be used strictly for educational purposes. They could use it for others. I think that there should be something in there to make sure that what we're paying for is those students to do it on the educational part of it. Other than that, I do think that it's very, very important and I do commend the chairman for his hard work.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 1583, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 126 (H.B. No. 294, H.D. 1, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 126 be adopted and H.B. No. 294, H.D. 1, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, 'WR' please. I was in favor of the cigarette part of it, then it got to be that they were going to worry about coupons and others, and that kind of worried me a little bit that all of a sudden we're going so far. We may get out of step with ourselves, but I do have reservations on that."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 126 was adopted and H.B. No. 294, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 129 (H.B. No. 743, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 129 was adopted and H.B. No. 743, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 131 (H.B. No. 122, H.D. 2, S.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 131 be adopted and H.B. No. 122, H.D. 2, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Sakamoto rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I appreciate the intent of the bill to entice contractors to promptly pay their subcontractors who are entitled to payment. The present language requires the comptroller to adopt rules necessary to implement penalties, monetary fines, interest, and possible debarment for noncompliance. Previously in testimony, disgruntled subcontractors have not communicated payment problems to the Department of Accounting and General Services, who could help them make right what's wrong. There are really enough laws in place to address these concerns, Mr. President.

"Clearly, this bill would allow government to interfere with the private sector of which government intervention is not

necessary. The industry should work out their own problems and not burden government, not burden DAGS with more rule making. We're supposed to be going in the opposite direction. So I urge my colleagues to oppose this measure, Mr. President."

Senator Iwase spoke on the measure with reservations as follows:

"Mr. President, I'll go with reservations on this measure.

"The one subject requirement of the Constitution, I believe, has been implicated here. Mr. President, this is a bill that started out as prompt payment to the general and general contractor to subcontractors and now has within its body a totally unrelated matter on group living facilities and public hearings and priorities to be given to group living facilities, and I have a concern about that. So I'll be going with reservations.

"Thank you."

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 131 was adopted and H.B. No. 122, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Inouye, Sakamoto, Slom).

Conf. Com. Rep. No. 132 (H.B. No. 850, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 132 be adopted and H.B. No. 850, H.D. 1, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Iwase rose to speak against the measure and said:

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

"This is the measure which extends the no-fault amnesty for uninsured motorists, and it's something we've been doing year after year after year. At some point we have to stop, and I think we should stop this year.

"Thank you."

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

"Mr. President, I, too, am voting 'no' on this.

"We've said it before, we make a farce out of the term 'amnesty,' and we've extended this period of time. Either we have a law and we enforce the law, or we allow people to voluntarily opt out of the insurance system. But since we've had the law, for those of us who have to pay the insurance unwillingly it makes it a travesty by extending amnesty again and again. So I'll be voting 'no.'"

Senator Bunda requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 132 was adopted and H.B. No. 850, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, Iwase, Sakamoto, Slom).

Conf. Com. Rep. No. 134 (H.B. No. 1361, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 134 be adopted and H.B. No. 1361, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Sakamoto rose in support with reservations as follows:

"Mr. President, I rise in support with reservations.

"Mr. President, I'm concerned that in our zeal to protect the public from another incident like that of Jimmy's Travel, we may be over-reacting, over-regulating this industry. We don't want to put existing businesses out of business. We do not want to stop new businesses from forming. One of the recognized, outstanding new businesses this year was a tour company, and while he started with very little and built his business one client at a time, he found a niche in the charter tour industry to the Philippines and worked hard, slowly, to develop his company. Hawaii Business Community has recognized his efforts and his entrepreneurial spirit. Had this law been in place, I don't know if his beginnings would have been possible.

"We need to protect the public, but we must also foster business if we are to ever create long-term economic stability in this State."

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 134 was adopted and H.B. No. 1361, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," 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. 252, H.D. 3, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 135 be adopted and H.B. No. 252, H.D. 3, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 135 was adopted and H.B. No. 252, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," 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. 1471, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 139 was adopted and H.B. No. 1471, H.D. 1, S.D. 1, 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.

Conf. Com. Rep. No. 150 (H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 150 be adopted and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Chumbley rose in support of the bill and said:

"Mr. President, I rise to speak in support of this measure but have lengthy written comments I'd like to have inserted into the Journal."

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

"Mr. President, I rise in support.

"This measure provides balanced protections for businesses and consumers against injuries and losses that may result from Y2K computer errors. Primary responsibility for losses is placed upon computer hardware and software manufacturers that designed and sold products with Y2K defects.

"Businesses that take commercially reasonable efforts to make their computer Y2K safe are given partial immunity from liability for economic damages and total immunity from non-economic damages, statutory minimum and treble damages.

"Small businesses and consumers are protected against out-of-pocket losses in all instances and are entitled to all other economic losses where there is a failure to take commercially reasonable preventive steps.

"Treble damages, non-economic losses and punitive damages are allowed only where there is intentional or other extreme conduct.

"In addition, the State is given immunity, unless it fails to take good-faith preventive action and is grossly negligent.

Three Levels of Protection and Immunity

- 1) Commercially Reasonable Steps Taken
 - a) Liability for businesses that take commercially reasonable steps is limited to out-of-pocket expenses only. Immunity is provided for:
 - A) All other consequential and economic damages, such as lost profits and lost business opportunities.
 - B) All non-economic damages, such as emotional distress and mental anguish.
 - C) All treble damages, punitive damages and statutory minimum damages.
 - b) Small businesses and consumers are allowed to recoup their out-of-pocket expenses, such as extra accounting charges to reconstruct financial transactions that get messed-up by Y2K computer errors.
- 2) Commercially Reasonable Steps Not Taken
 - a) Businesses forfeit immunity for all economic damages, retain immunity for non-economic damages, treble and statutory minimum damages.
 - b) Consumers and small businesses can recover all of their economic losses.
- 3) Y2K Losses Intentionally Inflicted
 - a) Businesses get no immunity.

- b) Consumers and small businesses can recover all losses without limitation.

STATE IMMUNITY

"The State, including the counties, is given immunity against Y2K claims, so long as it makes a good-faith effort to become Y2K compliant and is not grossly negligent.

OTHER PROVISIONS

"Hardware and Software Manufacturers Liable: Computer hardware and software manufacturers that designed and sold products with Y2K defects remain primarily liable and have no immunity. This places the responsibility for Y2K errors on those who created the problem, rather than innocent businesses that bought and use defective computer equipment.

"Alternative Dispute Resolution: An ADR conference must be held with the court in all Y2K lawsuits to consider appropriate ADR procedures.

"Physical Injury and Death: There is no immunity to physically injure or kill people.

"Consumer Credit Protection: Failure to make payments because of Y2K problems cannot be reflected on credit reports as bad credit history."

Senator Tam rose to speak against the bill and said:

"Mr. President, I rise in opposition to H.B. No. 1111, Relating to Year 2000 Errors by Computer-Based Systems.

"The State of Hawaii began its efforts in earnest beginning in October 1996. Remediation, testing and implementation of all remaining systems are expected to be completed by September 30, 1999. The State should be 100 percent by that date.

"The Bank of Hawaii is already advertising banking by computer from your home. The Red Cross representative says that all of our financial institutions are Y2K ready.

"There has been ample time for all businesses as well as government to 'get up to speed' on Y2K.

"I view this legislation as a cop out for our State government which leaves open the ability for big money interests to be protected also.

"There are laws currently on the books against frivolous lawsuits or unsubstantiated lawsuits. I believe this law takes away people's 'day in court.'

"I respectfully ask my colleagues to vote against this legislation."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Buen, Hanabusa, M. Ige, Kanno, Kawamoto, Slom, Tam).

Conf. Com. Rep. No. 153 (S.B. No. 102, S.D. 3, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 153 be adopted and S.B. No. 102, S.D. 3, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition and said:

"Mr. President, I will be voting 'no' because it establishes a special fund, the rural health special fund."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 153 was adopted and S.B. No. 102, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 154 (S.B. No. 513, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 154 be adopted and S.B. No. 513, S.D. 2, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure as follows:

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

"The issue of child care, of course, has many factors that are important in our community -- sociological and demographic. But the point of the matter is that, as we said before, people that live in condominiums and town houses, but particularly condominiums, have for the most part chosen to live there, and they want a particular style of living as supported by the association bylaws. And one of the things that they don't want is business activities, and another thing they don't want, whether we like it or not, is children. And they have chosen to be there. They've also been very concerned about the problems associated with ADA rulings and problems associated with liability.

"And while this bill has been crafted and has gone through many changes, the people that actually are on the front lines that live in these buildings and abide by these association rulings are not convinced that their concerns have been alleviated. Further, it makes a bad precedent because what it says is that, in effect, people living in private situations cannot have their own rules and cannot decide for themselves what they want to do. There have been buildings, condominiums and others, that have decided upon their own to make changes within their rules and they are still capable of doing that. I don't think it's the place for government and this Legislature to be involved in this area.

"Thank you."

Senator Sakamoto rose to speak on the measure with reservations and said:

"Mr. President, I rise with reservations similar to items stated by the Senator from Hawaii Kai, because many people, seniors especially, have chosen to live there, listening to their soap operas, etc., they want the peace and quiet. So people have chosen where they live for some of those reasons, because of peace and quiet."

Senator Chun rose to speak in favor of the measure with reservations as follows:

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

"Mr. President, although I support fully the intent of this bill to provide child care for all families and to open up that industry because there is a big need in our society to do that, I have reservations in regards to requiring people who live in home owners associations to allow that kind of business on their property. Mr. President, I think when government starts interfering with people in terms of how they will have to use their property, we have to tread on that area very lightly. Those are my reservations regarding this bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 154 was adopted and S.B. No. 513, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Slom, Tam).

Conf. Com. Rep. No. 165 (H.B. No. 1454, H.D. 2, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 165 be adopted and H.B. No. 1454, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom opposed the measure as follows:

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

"The bill, again, is a thinly disguised way of raising more taxes. It provides additional administrative fees on top of the already existing fees and the bottom line is it's going to cost people more, and there's no justification for those fees.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 165 was adopted and H.B. No. 1454, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," 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. 169 (H.B. No. 172, H.D. 1, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 169 be adopted and H.B. No. 172, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose and said:

"Mr. President, reservations, please, because of the mandate."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 169 was adopted and H.B. No. 172, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 170 (H.B. No. 260, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 170 was adopted and H.B. No. 260, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 176 (H.B. No. 1664, H.D. 3, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 176 be adopted and H.B. No. 1664, H.D. 3, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose in opposition and said:

"Mr. President, it creates a special fund. I will vote 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 176 was adopted and H.B. No. 1664, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 190 (H.B. No. 104, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 190 was adopted and H.B. No. 104, H.D. 1, S.D. 2, C.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.

The Chair then made the following inquiry:

"Mr. Clerk, has the House passed H.B. No. 100, C.D. 1, the state budget?"

The Clerk replied:

"Yes, Mr. President, it was delivered to the Governor's office at 11:37 a.m. this morning."

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

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

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

FINAL READING

Conf. Com. Rep. No. 43 (S.B. No. 36, S.D. 2, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 43 be adopted and S.B. No. 36, S.D. 2, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Tam rose in support of the measure and said:

"Mr. President, I rise in support of S.B. No. 36, Relating to Condominiums.

"At a time when we had hoped that financial institutions would participate with us to relieve the strain on our economy caused by foreclosures, we found ourselves standing alone. It appears that we, in government, are expected to fix the economy and resolve all of the ills of our State. Under extreme pressure, we were successful in passing this legislation on behalf of the condominium owners. I hope that we can do more to assist condominium ownership during the next legislative session.

"This bill does the following:

1. I am pleased to announce that condominium associations now have the ability to enforce liens resulting from

delinquent maintenance fees. The Association of Owners is now empowered under priority of lien to file for non-judicial foreclosure and power of sale foreclosure when it is unable to obtain delinquent maintenance fee payments.

2. Especially during the foreclosure process, maintenance fees remain unpaid for as long as two years. Financial institutions have also avoided paying maintenance fees by holding off recording ownership at the Bureau of Conveyance. The law now clarified when a purchaser in a foreclosure becomes responsible for assessments and maintenance fees.
3. Previously, the Association of Owners could not collect delinquent maintenance fees from the tenant. The Association is now permitted to collect directly from the tenant an amount up to the delinquent fees owed by the owner.
4. More frequently, associations of apartment owners are having to look for alternatives to federally insured bank deposits. By allowing associations to invest in mutual funds, obligations of the United States Government, or the State of Hawaii, this bill will also contribute to the economy of our State.

"In conclusion, for our next session I will be asking for your assistance, colleagues, to again pass legislation which will allow condominium associations a six-month priority lien that will enable the associations to recover up to six months of delinquent maintenance fees from the secondary mortgage market, more specifically, Fannie Mae and Freddie Mac.

"Members, I wish to inform you, unfortunately, the House of Representatives' conferees refused to conference on the six-month priority lien.

"Thank you."

Senator Bunda then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 43 was adopted and S.B. No. 36, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM THURSDAY, APRIL 15, 1999

THIRD READING

H.B. No. 1286, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1287, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 801, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1595, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

Conf. Com. Rep. No. 12 (S.B. No. 5, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 12 was adopted and S.B. No. 5, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 14 (S.B. No. 1024, S.D. 3, H.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 14 was adopted and S.B. No. 1024, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (S.B. No. 788, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 49 was adopted and S.B. No. 788, S.D. 2, 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. 98 (H.B. No. 377, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 98 was adopted and H.B. No. 377, 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. 106 (S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 113 (S.B. No. 816, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 113 was adopted and S.B. No. 816, S.D. 1, H.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, 25. Noes, none.

Conf. Com. Rep. No. 118 (S.B. No. 1499, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 118 was adopted and S.B. No. 1499, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 125 (S.B. No. 1635, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 1635, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 127 (H.B. No. 635, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Levin and carried, Conf. Com. Rep. No. 127 was adopted and H.B. No. 635, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (H.B. No. 1450, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 141 was adopted and H.B. No. 1450, 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. 142 (H.B. No. 700, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 142 was adopted and H.B.

No. 700, H.D. 1, S.D. 2, 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. 144 (H.B. No. 333, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 333, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," 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. 336, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 145 was adopted and H.B. No. 336, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 147 (H.B. No. 1280, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 147 was adopted and H.B. No. 1280, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 152 (S.B. No. 1470, H.D. 2, C.D. 1):

On motion by Senator Nakata, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 152 was adopted and S.B. No. 1470, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 157 (S.B. No. 1229, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 157 was adopted and S.B. No. 1229, S.D. 1, H.D. 3, 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. 162 (S.B. No. 1144, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 162 was adopted and S.B. No. 1144, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 166 (H.B. No. 1138, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 166 was adopted and H.B. No. 1138, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 173 (H.B. No. 547, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 173 was adopted and H.B. No. 547, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 174 (H.B. No. 1594, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 174 was adopted and H.B. No. 1594, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 178 (H.B. No. 1693, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 178 was adopted and H.B. No. 1693, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 180 (H.B. No. 1017, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Levin and carried, Conf. Com. Rep. No. 180 was adopted and H.B. No. 1017, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 183 (H.B. No. 854, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 183 was adopted and H.B. No. 854, S.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, 25. Noes, none.

Conf. Com. Rep. No. 187 (H.B. No. 990, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 187 was adopted and H.B. No. 990, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:50 o'clock p.m.

**MATTER DEFERRED FROM
TUESDAY, APRIL 13, 1999**

THIRD READING

Stand. Com. Rep. No. 1499 (H.B. No. 1064, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 1499 was adopted and H.B. No. 1064, H.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, 24. Noes, none. Excused, 1 (Tam).

FINAL READING

Conf. Com. Rep. No. 50 (S.B. No. 392, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Levin and carried, Conf. Com. Rep. No. 50 was adopted and S.B. No. 392, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 96 (H.B. No. 1183, H.D. 2, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 96 be adopted and H.B. No. 1183, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Levin spoke in favor of the measure with reservations as follows:

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

"My reservations are that this measure might be construed to authorize some future Department of Land and Natural Resources to lease out segments of coastal lands, such that a public beach would be rendered private. I therefore wanted to make clear that it is the Legislature's intent that the right of public access to our beaches and oceans is inviolate. As partial evidence of this intent, I would note that the bill allows the Department of Land and Natural Resources to lease public

beach lands for the purpose of generating revenues, but only subject to Chapter 171. Section 171-26 of that Chapter provides for the preservation of rights of ways for people to utilize public beaches.

"We are not overriding that provision today, nor do we want to, because our dedication to the principle of free, unfettered access takes precedence over our desire to raise revenue. It is not the Legislature's intent to sell the birthright of our people no matter how worthy the cause.

"Thank you."

Senator Slom rose to oppose the bill as follows:

"I'll be voting 'no' against this bill because it does establish the beach restoration special fund.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 96 was adopted and H.B. No. 1183, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 1:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:55 o'clock p.m.

Conf. Com. Rep. No. 102 (S.B. No. 1256, S.D. 2, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 102 be adopted and S.B. No. 1256, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose in support of the measure and said:

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

"I'd just like to say that this is a needed system that will help the Molokai unemployment situation there and would provide much needed jobs for their community.

"I'd like to yield to the Senator from Molokai."

Senator Buen rose to speak on the measure as follows:

"Thank you Mr. President, and thank you Senator Kawamoto.

"This bill was needed to help the people of Molokai with their employment. Many of the residents have moved to Maui to seek employment and their families are now broken up because of that. There are hardly any jobs there on Molokai.

"The Committee has worked very hard. For a number years the people of Molokai have asked for a ferry system so that they can travel daily to the Island of Maui and then possibly the ferry can also . . . we're looking at coming to Oahu. But this is a bill very needed for Molokai residents and I want to thank you again, Senator Kawamoto, and also the Ways and Means Committee for helping pass this bill.

"Thank you."

Senator Kawamoto rose and said:

"Mr. President, I'd like to also add that this would be matching funds and would bring in \$3 million to \$4 million from federal dollars.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 1256, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112 (S.B. No. 1518, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 112 be adopted and S.B. No. 1518, H.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Chun spoke in favor of the measure with reservations and said:

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

"Mr. President, I favor this bill in terms that it will allow the counties and the State to go forward with funding the collective bargaining raises. However, I have a concern that the bill puts an absolute ban on any raises to be negotiated for the next two years, the biennium. Mr. President, that provision starts us down the path of getting involved with collective bargaining directly with the unions -- a path that our Legislature, when we first enacted Chapter 89, decided not to take. At this point in time, Mr. President, I have not seen any compelling reason why we would want to bring ourselves on that path and start involving ourselves with bargaining with the unions directly.

"I believe, Mr. President, though, that we could have accomplished the same goal by actually putting inside a bill, such as this, a provision so that in any kind of bargaining between the employer and the union, we will not look towards using the ERS fund for the pay raises. I think that would have been a better way to do it. That would have been a cleaner way to do it, and it would not involve us in the collective bargaining process.

"Another way we could have gone, Mr. President, is also put a specific limitation in terms of how much money we should have in the ERS fund at any given time to ensure that at all times there is a standard to be met. If we are to take money from that fund, certain limitations have got to be complied with.

"Mr. President, we have to stop looking at using this fund on a case by case basis whenever we get into financial trouble. We should be setting up firm plans for the future. And I believe, Mr. President, we should look at that in the next session and be very clear that we should not raid this fund whenever it's convenient for us.

"Thank you, Mr. President."

Senator Tam also rose to support the measure and said:

"Mr. President, I rise in support of S.B. No. 1518, Relating to Government Operations.

"In this respective bill there are two parts of this bill. The first relates to goals for the State of Hawaii, which provides an overall direction for the State. The Committee on Government Operations and Housing conducted two very long public hearings on the goals and objectives of state departments and other agencies including the Judiciary. Many of our departments do not have any formally established goals and objectives. Accordingly, this bill requires that goals and objectives be identified to provide a basis for determining

priorities and allocating limited public funds and human resources.

"We are reminded that government should operate more like a business. Developing a time-driven action plan consisting of milestones and benchmarks will enable us to evaluate whether or not government is productive and efficient. I thank my colleagues in the Senate for your support of departmental goals and objectives in the Majority package.

"The second part of this bill addresses pay raises for government employees. I am very pleased that retroactive pay raises for government employees have been funded in this bill. It is long overdue. We are tapping into the State retirement system, hopefully for the last time, to fund pay raises which is primarily a bailout for the City and County of Honolulu.

"For the sake of the public, the financial condition of the City and County of Honolulu shall be reviewed this interim before the next legislative session. More than 20 percent of the City's funds come from the State; therefore we must find out what happened to taxpayer dollars within the State of Hawaii.

"It is unfortunate that one part of the bill provides for no pay raises for the next two years. This is a requirement which was insisted upon by Governor Cayetano and the House of Representatives at the eleventh hour of the deadline of this session for passage of the bills which was this past Friday. Otherwise the pay package would not have passed this session. I will be introducing a bill next session to remove this condition and ask my colleagues to support me. We should not interfere in collective bargaining, but unfortunately due to some sense our hands were tied.

"I am encouraged by the leadership exhibited by this Senate in its effort to restructure government and bolster our sagging economy, and I thank all of you for your support."

Senator Iwase rose in support of the bill with reservations and said:

"Mr. President, I'm rising in support of the bill with reservations.

"I'm very pleased we're making efforts to fund the retroactive pay raises which were agreed to pursuant to collective bargaining, and which I believe we are legally, if not morally, bound to fulfill.

"What does concern me is what the Senator from Kauai spoke about which is the provisions relating to the cap on negotiating cost items. Mr. President, what this bill does is amend Chapter 89, which is the collective bargaining law. It's a major statute in Hawaii law. I do not believe that we should be amending the law by slipping a provision into a bill that purportedly seeks to fund pay raises for public workers.

"Secondly, I do not believe we should be doing this at all because there is a process for negotiating in the collective bargaining law, Chapter 89, and the process is that the executive branch has people negotiating, that they agree to particular raises. The Legislature is supposed to accept or reject it. We are here today with this retroactive pay raise issue before us because, first, the executive branch negotiators agreed to the increase, and secondly, the legislative branch did not reject it.

"We are the backstop. We are the safeguard. This is not necessary. We should not be intruding into the collective bargaining process in this manner. We should do it in a cleaner way if we want to amend the collective bargaining law with a specific bill and a specific title saying relating to collective bargaining, so all the world knows that we are amending the collective bargaining law.

"Thank you, Mr. President."

Senator Slom rose in opposition to the measure as follows:

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

"Mr. President, this is a weasel bill. I've spoken in support of keeping our promises and funding the contracts that have already been negotiated and that's what we should do. What we should not do is pass a bill like this. People have their reservations about it. These are wimpy reservations. We should vote 'no' on this bill because first of all, it contains two separate and totally different ideas and concepts within the bill. As far as requiring all departments and agencies to identify their goals and objectives, that's a laudable objective in itself and it should be done, and I commend the sponsor for that particular section.

"It's interesting that this is the bill that originally started out as the privatization of the State hospital bill and was completely gutted and changed into this.

"Now Mr. President, I know that there was no public hearing held in the Senate on the ERS raid. I'm not sure that there was a public hearing held in the House. So, because this encompasses two separate and distinct subjects, one of which should be by itself -- collective bargaining; because there were no hearings held; because there was no input held; and because what we're saying here is this is a one-time only raid on the Employees' Retirement System . . . get real! Do we believe that -- a one-time raid like the one-time raid on special funds we've made.

"The other thing is this Legislature is trying to bind future Legislatures, and that is very difficult, if not impossible, to do. And it also is trying to bind the labor organizations so that they in fact cannot negotiate for a two-year period, and that we should not do. The two are separate items. We should honor our commitment and fund the pay raise.

"The way this bill works, it applies 10 percent of actuarial investment earnings in excess of a 10 percent investment yield for fiscal years '97 and '98 in lieu of the contributions to the pension accumulation fund required for the State and Counties. This is a fund for retirees. They paid into it. We're tapping it. We're raiding it. We're doing something different with it.

"The other thing is that what we're saying is we're expecting that the fund is going to be healthy. Now, for the years '97 and '98 there was a very attractive return on investment, but not for the year 1999 fiscal year when the return on the investment was down to 3-1/2 percent and may be lower in the future.

"So for this and other reasons, I think that we have to do more than say, hopefully this is the last time that we'll do something like this. We know this is wrong. We know it should not occur. We should vote 'no.'

"Thank you."

Senator Sakamoto rose to support the measure with reservations as follows:

"Mr. President, I rise in support with reservations.

"I hear the strong words of the Senator from Hawaii Kai. I agree with the concerns about the money. This is a 'spend now, pay later' bill. Social Security in America, same thing -- spend the money now, pay later. An employee in my company wanted to borrow money out of his 401K plan and he needed to spend it now, pay later. I saw an unemployed painter on the street. He took all of his money out of his annuity fund because he needed to spend it now and pay later. And that's really a problem.

"We don't have a 'rainy day' fund. The ERS should not be the 'rainy day' fund. The highway fund should not be the

'rainy day' fund. Special funds should not be the 'rainy day' fund. We really need to spend only what we have. We need to look to next session, seriously, along with the civil service reform measures and other measures, because we cannot keep spending what we don't have. We only can spend what we have, Mr. President."

Senator Anderson rose to speak against the bill and said:

"Mr. President, I was going with reservations and I think that the Minority Floor Leader is absolutely right. I would rather go 'no,' and the reason I'm going 'no' is this is one of the reasons that I voted against Mr. Anzai. I didn't think it was fair that we raid again for the seventh time the Retirement System. We keep calling it a one-time deal.

"Also, it bothers me that we're going to give the counties some dollars to bail them out because we have to take care of the employees at the county level. The county council gave \$20 million to the county -- \$20 million. All of a sudden the Mayor said that was a savings because he had done such a great job in streamlining the government. What he did was he took \$20 million that they put there and he spent it. Now he's telling you and me, we have to take care of that. And the Governor and the rest of them want to give those savings that he spent. We're now going to take it from the Retirement System.

"When we had the UPW director sitting next to Mr. Anzai, I said how are you possibly going to use the Retirement System money to pay back the employees the dollars that they have put into the system. You're going to pay them with that dollar that they've saved and then you're going to turn around and tell them that they can't do anything for two years. I find that despicable that we would even consider doing that. The Retirement System is for the retirees. We don't have a cash flow because we have no idea how we're going to turn this State around. We have no plan. They don't use any of the plans that we've given so that we can help move this State forward. And without the cash flow, the only thing that they're looking at is \$9 billion in the Retirement System which is now down to 8.2 because it took a loss. For those reasons I will be going 'no' on this particular bill.

"I want to give the people the raises that they deserve. They've gone through the system. But I don't think we should do it with the dollars that they themselves have earned and the dollars that we have earned in total on the Retirement System. For those reasons I'll be going 'no,' Mr. President."

At this time, Senators Taniguchi and Bunda requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Chun Oakland also rose to speak against the measure as follows:

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

"A few years ago, the Legislature had made a commitment to stop taking from the Employees' Retirement System. Under our Senate financial plan, we did not need to use the ERS for the purpose of funding retroactively the collective bargaining pay raises. I think this is not the way to go.

"Thank you, Mr. President."

Senator Chumbley rose in support of the measure with reservations and stated:

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

"Mr. President, while I'm glad that we are finally meeting our obligation of funding the collective bargaining contracts, I share in many of the concerns that have been expressed about the language included in this proposal, which will prohibit the employees from bargaining with the executive branch relative

to Chapter 89. I hope that as we move forward, Mr. President, that this language can be reconsidered and removed earlier than the two-year period.

"Thank you."

Senators Hanabusa, Kanno, Tanaka 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, Conf. Com. Rep. No. 112 was adopted and S.B. No. 1518, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, Chun Oakland, D. Ige, Slom).

Conf. Com. Rep. No. 120 (S.B. No. 131, S.D. 3, H.D. 3, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 120 be adopted and S.B. No. 131, S.D. 3, H.D. 3, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Chun Oakland rose to speak in support of the measure and said:

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

"Mr. President and fellow colleagues, long-term care coverage is a critical economic health issue facing our State today. I know this body had made this a priority and I appreciate that we've come this far.

"As the new century approaches and our State's population ages rapidly, our State must come to the realization that we face an enormous challenge when it comes to financing long-term care costs in the near future. The recession that has lingered in the State for the last eight years has affected not only our pocketbooks as individual consumers, but also decreased our ability as businesses and employees to build funds for retirement and any long-term business or personal needs.

"Under these circumstances, Hawaii residents face an overwhelming task when it comes to financing any type of long-term care needs for the future, either for themselves or for the ones they love, because they lack the significant financial resources to plan for a future that seems to be so far away.

"Long-term care financing poses a serious problem for many residents in our State because its costs often exceed a family's ability to pay. The current ways to finance long-term care involve a combination of medicaid, medicare, private insurance and personal assets. Medicaid, the largest pair of long-term care services is strictly limited to financial eligibility, while medicare only provides a limited amount of long-term care benefits to the individuals in this State.

"As you know, our medicaid budget continues to skyrocket. Trends show that in the future medicaid, medicare and social security might cover even smaller portions of a person's long-term care cost due to the fact that more and more people will be accessing medicaid and medicare benefits and services as their private insurance benefits and/or personal assets dwindle.

"The situation, however, is worsened in Hawaii because small businesses are not able to provide sizeable pension plans and other benefits for their employees. The majority of the State's working population are employed by small business. Senate Bill 131 then provides the mechanism to begin dealing with the difficult issue of financing long-term care for individuals in this State: (1) It gives the employers the option of offering long-term care insurance coverage for their

employees; and (2) It creates standards to regulate those long-term care insurance products that enter the local insurance market.

"The measure, as amended, incorporates the provisions of the July 1998 Model Long-Term Care Insurance Act and Model Regulations which was developed by the National Association of Insurance Commissioners and establishes a baseline for long-term care insurance policies that are sold here in Hawaii. This, we hope will be a minimum to protect the consumers of the State.

"In an effort to avoid preemption by the Federal Employee Retirement Income Security Act of 1974, known as ERISA, S.B. No. 131 gives employers the option of offering long-term care and does not mandate this offering. It by no means mandates that such coverage shall be provided to employees as a benefit.

"The measure, in addition, also extends the work of the Joint Legislative Committee on Long-Term Care and authorizes them to continue their efforts in developing possible long-term care solutions to financing the needs of our residents.

"This measure is one step towards, I believe, a much greater comprehensive effort that we need to work towards. And I believe that this is a balanced solution in trying to work with the private sector first in encouraging people of our State to purchase long-term care insurance. There are other measures that we are considering today that also provide some tax deduction, as well as builds the capacity of the Insurance Commissioner to make sure that we can analyze the policies that are being offered in our State with regard to long-term care insurance products.

"I really need to thank the members of the Joint Legislative Committee, the members of the Senate and the House of Representatives, as well as many other people from the community who have put a lot of time into this measure. I thank you for your commitment to this issue and look forward to making this a continued high priority of this State.

"Thank you very much."

Senator Slom also rose in support of the measure and said:

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

"I want to commend the chair for her efforts and the efforts of the Joint Committee. We worked very long and very hard on this issue which is of major importance to all of us. I don't think there was any other issue that sought so aggressively public input, took that public input, worked with different people, tried to come up with different solutions.

"Admittedly, this is just the first of a building block for long-term care, but as the chair just reminded us, we will be voting in a few minutes on a bill that will bring Hawaii's tax laws in conformity with the Internal Revenue Code and there were other suggested incentives that were being used. The main thing is that this is a bill that uses a carrot without any sticks. It is a bill that encourages incentives and encourages people in the private sector and the public sector to offer alternatives to employees and others

"And I note for my part, Mr. President, I will do all I can in the small business community to encourage employers to offer long-term care insurance because we've made a commitment here that we want to do this and we want to do it voluntarily without mandates and without force. So I urge all my colleagues to support this measure and thank the chair again for her efforts."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 120 was adopted and S.B. No. 131, S.D. 3, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

LONG-TERM CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 123 (S.B. No. 646, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Tam, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 646, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Conf. Com. Rep. No. 137 (H.B. No. 1085, H.D. 1, S.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 137 be adopted and H.B. No. 1085, H.D. 1, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom spoke in opposition to the measure and said:

"Mr. President, unfortunately I'm going to have to rise and speak against this bill.

"As I mentioned during the crossover, you know, we have used the term emergency during this session so many times that it doesn't mean anything anymore. And this is not an emergency appropriation and this is not an emergency appropriation for Felix/Cayetano. The basis of this bill is restoring cuts that were being made last year, only a small portion out of the \$11 million -- \$1.9 million I believe -- is for Felix/Cayetano related expenditures.

"We've got to learn to be more open. We've got to learn to be more honest. We've got to tell the truth about our fiscal appropriations and things that we vote on. And if we're going to say that things are emergencies, then they better be emergencies. And emergencies are those things that prudent individuals, rational individuals, could not and should not have anticipated. And all of these things have been anticipated and people have talked about them before. So if we're going to be honest about this, we have to hold people accountable for the expenditures and for the appropriations that they ask.

"This is not an emergency appropriation and it is not \$11 million for Felix/Cayetano.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 137 was adopted and H.B. No. 1085, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 138 (H.B. No. 988, H.D. 2, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 138 be adopted and H.B. No. 988, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure as follows:

"Mr. President, *deja vu*. Here's another emergency appropriation that just followed the last emergency appropriation. Where is the emergency? We've been talking about Y2K. We have voted money for the State government for compliance. And now it's an emergency? No, Mr. President, there's not an emergency except for when we vote for bills like this. Cast my vote as 'no,' Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 138 was adopted and H.B. No. 988, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," 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. 143 (H.B. No. 86, S.D. 1, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 143 be adopted and H.B. No. 86, S.D. 1, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 86, 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. 148 (H.B. No. 20, H.D. 2, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 148 be received and placed on file, seconded by Senator Matsunaga.

Senator Chumbley explained:

"Mr. President, the reason for separation is the inconsistencies between the committee report and the measure."

The motion was put by the Chair and carried.

Senator Chumbley then moved that H.B. No. 20, H.D. 2, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the measure and said:

"Mr. President, the purpose of this bill is to increase the salaries of our judges. Although the Conference members intended the increase of salaries of judges to be 11 percent beginning July 1999, and another 11 percent beginning July 2000, in the haste of Conference Committee deliberations, and preparing the committee report under the pressures of time, an unfortunate and unintended inconsistency resulted in reference to the salary increases in the contents of the bill and the committee report.

"I would like to now clarify for the Journal that in acting on the bill after separating the committee report, we are relying on the principle that the specific salary figures in the bill must represent the intent of the Legislature as controlling over other general references on the same subject. The Journal should reflect that the specific salary figures listed in the bill are correct.

"While we have to accept those figures and cannot at this late hour change them to reflect the Conference Committee's actual

intent, we would recommend to this body that we approve these modest increases now by voting 'aye.'

"We want the Journal to reflect the intent of the Conference Committee and also note our recommendation that the 2000 Legislature correct the figures to represent what we had intended -- that is to provide for a salary increase of 11 percent effective July 1999 and another 11 percent beginning July 2000.

"I urge my colleagues to vote 'aye' on this measure.

"Thank you, Mr. President."

Senator Iwase then rose and said:

"Mr. President, you previously ruled 'no conflict' on my voting on this bill. Would that position still remain the same?"

The Chair ruled that Senator Iwase was not in conflict.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I'm compelled to stand up and vote against this measure.

"I was fully prepared, after three years, to support an increase in the judicial salaries although I still do not subscribe to the belief that if you pay judges more you'll get better rulings. My problem is that, as the Judiciary co-chairman just mentioned, in the haste of doing things. We have done so many things here in haste, and I think deliberation is extremely important. And the fact that we were hasty in passing this bill along with the committee report at the last moment leads to a great deal of confusion in terms of the public and whether or not we're talking about an 11 percent increase, a 13 percent increase, or a 27 percent increase over two years. In fact, if we're talking about 11 percent, we're talking about 22 percent because it's 11 percent over each of the next two years.

"While I fully support the idea of increasing the judicial salaries, I find that many of our friends and neighbors and family members in our community have not only not gotten any salary increases but in fact they do not have jobs. And for us to be talking about salary increases in the range of 22 to 27 percent, I think at a time when our economy is the way it is and when we haven't anything to provide additional revenues, is too much and is not fair for the rest of the community who are themselves called upon to pay it. We in the Senate do not reach in our pockets and pay those salaries. We ask the people that vote for us to pay the salaries. I think it's excessive at this time."

Senator Anderson supported the measure as follows:

"Mr. President, I'm going to be voting 'aye,' and I could sit here and I very seldom disagree with my Minority Floor Leader. I think this bill is important because I've gone year after year fighting the judges' pay raises. I've talked about restructuring collective bargaining and making sure not everybody across the board gets the same pay raises.

"However, I made time to go down to talk to the judges and they turned around and said, 'You know, I would hope that after a while people would start to listen. We do not get any union backing. We do not have collective bargaining. We also have no constituency. And what you're asking us to do is, if we give a favorable decision, then you will give us a raise. If we make an improper decision, you don't want to give us a raise.' And I never looked at it that way, and I think that it's fair and acceptable that we look at what they've done. The raises that they have not received over the years strictly because everybody is saying this is what you are making, consequently you should go no higher; moreover, we don't even like your decisions. I don't think that it's fair. For those reasons alone, I will be voting for the judges' pay raise.

"I don't know about their retirement system and other things that everybody has been talking about. You've got to remember that you don't live in their shoes, you don't know exactly what amount of money they pay for medical, what happens to their families if somebody could be sick; is there private schools that they go to. I don't know. I don't live with those judges. I don't socialize with them. So I don't know that the problems that they're having, which is everyday, are any different than the rest of us. So I will be voting 'aye,' Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 148 was adopted and H.B. No. 20, H.D. 2, 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, 23. Noes, 2 (Kanno, Slom).

Conf. Com. Rep. No. 156 (S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 156 be adopted and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Chun Oakland rose in support of the measure as follows:

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

"Fellow colleagues, last November, 46 states, including Hawaii, settled historic class action lawsuits against the nation's tobacco companies and won unprecedented amounts of compensation and concessions from tobacco manufacturers who held a firm grip on American's consumer market for a number of years. Although individual settlement agreements did not specify the way in which monetary awards should be spent, attorney generals throughout the nation indicated that the tobacco settlement agreements they entered into presented a very unique opportunity to use tobacco companies' own profits to reduce the usage of tobacco products in the United States.

"Statistics show that reductions in the use of tobacco not only saves lives and dramatically improves the overall health of the public, but it also saves billions dollars spent annually to deal with the negative health consequences created by smoking and using tobacco products. Estimates suggest that the public and private expenditures to treat tobacco related health problems exceed \$70 billion a year with state medicaid payments surpassing \$12.5 billion annually. Research studies suggest that even 1 percent decrease in the usage of tobacco products over the next five years could produce monetary savings equating to roughly \$600 million. Of course, this is in addition to the thousands of lives saved and the thousands of lives positively impacted by the reduction in the use of tobacco products over the same period of time.

"Senate Bill 1034 represents the State Legislature's best effort to reduce and control tobacco usage in the State while establishing mechanisms to develop an infrastructure to support general programs for health and wellness, most notably those supporting children's health initiatives. This measure, as written, establishes the public/private trust fund dedicating 25 percent of the settlement, per year, to support public education efforts and community and school based programs designed to counter tobacco marketing and reduce tobacco usage among the State's one million-plus residents. It allows for the development of strategic planning processes through which a variety of stake holders can create comprehensive plans to reduce tobacco usage in the State and improve the overall health of Hawaii's island community. It gives the Department of Health the opportunity to supplement and augment their

existing health and wellness programs by dedicating an additional 35 percent of the settlement funds per year.

"In addition, S.B. No. 1034 provides for the establishment of an emergency and budget reserve fund dedicating 40 percent of the settlement each year that gives the State a financial reserve that can be accessed in an emergency or in economic downturn that proves detrimental to its continued operation. It spells out strict conditions under which the emergency and budget reserve fund can be accessed, as well as describing the procedure by which the Governor and the Legislature must go through before any of those reserve funds are used.

"In addition, I believe that the State of Hawaii will be one of the leaders in the nation in terms of the percentage that we are dedicating of the tobacco settlement monies to support health related programs.

"I'm very proud of this and I really thank the Legislature and the community for being a part of the crafting of this bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 156 was adopted and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 160 (S.B. No. 1082, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 160 was adopted and S.B. No. 1082, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 161 (S.B. No. 1127, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 161 was adopted and S.B. No. 1127, S.D. 1, H.D. 3, 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. 163 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 163 be adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure and said:

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

"Again, this is an indication of creating the universal service fund as a special fund outside of the treasury."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 163 was adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," having been read

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

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 164 (H.B. No. 162, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 164 was adopted and H.B. No. 162, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 181 (H.B. No. 1575, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 181 was adopted and H.B. No. 1575, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 184 (H.B. No. 765, H.D. 1, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 184 be adopted and H.B. No. 765, H.D. 1, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom spoke against the measure as follows:

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

"This bill raises the tax on the rental of vehicles by 50 percent, from \$2 to \$3 a day. Originally, the purpose of the tax in the first place was to go to the visitor industry, and now we see that the counties and others are looking at this as an increase source of revenue for general operations.

"I think what people continue to forget is that 30 percent of the rental cars go to residents and so therefore we are voting to tax ourselves again. There's no justification for raising this increase and again I would remind my colleagues that the original versions of the bill sought to have an even higher rate and they will be back next year to seek a higher rate. So, I urge a 'no' vote."

Senator Iwase rose in opposition and said:

"Mr. President, for the reasons articulated by my colleague from Hawaii Kai, I will be voting 'no.'

"Thank you."

Senator Chun rose to support the measure as follows:

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

"Mr. President, even though I voted against the bill in the initial crossover, after talking with the Conference chairmen and reading literature regarding the disclosure of certain service charges and fees in other states and how that can be held as deceptive in those states, I have looked at the provisions and the protections contained in this bill and I'm satisfied that we are not going to be in similar situations.

"So, Mr. President, I believe this bill is good. It is helpful to our economy and I think it's a good compromise by all parties concerned."

Senator Sakamoto rose to speak on the measure with reservations as follows:

"Mr. President, I rise to speak with reservations.

"I understand, just as the Senator from Kauai, that numerous letters have been sent in about the compromise the industry had requested for the unbundling because of many tourists' complaints. And I'm sure the complaints were because of high costs. We cannot keep coming to our industry -- in this case, the rental car industry, a business that really is a part of our State -- just raising fees, putting it in the highway fund and then taking it back out.

"Down the road, Mr. President, we're going to raise gas taxes because we don't have money in that fund, and if we take these monies out for these types of things, we're going to be in trouble. You wouldn't want to come home, Mr. President, and find a syphon hose sticking out of your gas tank. Nobody would. I think we ought to use the funds and monies for the appropriate use and not just steal it for other uses, Mr. President.

"Thank you."

Senator Kawamoto rose to speak on the measure and said:

"Mr. President, I'd like to thank you for allowing me to sit in as a member on this committee because a lot of these items in this bill were pertaining to TIA, and many of the concerns were taken out of the bill; many concerns that we had were put into the bill.

"This bill does give us an opportunity to give \$11 million to the general fund and add another \$11 million to the highway fund. And after two years it provides the money . . . for eight years provides the money for the highway fund. This would provide an opportunity where we may not have a gas tax increase in 2001. So all of this included, this is a good bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 184 was adopted and H.B. No. 765, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Iwase, Slom).

Conf. Com. Rep. No. 185 (H.B. No. 1198, H.D. 1, S.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 185 be adopted and H.B. No. 1198, 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 and said:

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

"This establishes the integrated tax information management system special fund and appropriates \$17.8 million in the next fiscal year and then \$7.5 million after that. These are monies that should be in the general fund and accountable, not in special funds.

"Thank you"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 185 was adopted and H.B. No. 1198, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ihara).

Conf. Com. Rep. No. 186 (H.B. No. 989, H.D. 1, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 186 be adopted and H.B. No. 989, H.D. 1, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I'm rising to speak against this bill.

"While there are many people that are entitled to claims against the State and it seems that the number grows every year, a careful examination of the people that are being compensated here shows that one individual -- a person who used to be one of the top three lieutenants in the past gubernatorial administration -- is receiving approximately three-quarters of a million dollars in claims for legal fees paid and I don't think that's right. I don't think that's the purpose of this claim fund.

"I urge a 'no' vote."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 186 was adopted and H.B. No. 989, H.D. 1, S.D. 2, 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, 23. Noes, 2 (Anderson, Slom).

Conf. Com. Rep. No. 193 (H.B. No. 1038, H.D. 1, S.D. 2, C.D. 1):

Senator Nakata moved that Conf. Com. Rep. No. 193 be adopted and H.B. No. 1038, H.D. 1, S.D. 2, C.D. 1 having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Nakata rose in support of the measure as follows:

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

"This bill will fulfill a long-standing commitment to the public workers of this State, so I urge my colleagues to vote for it.

"Thank you."

Senator Slom spoke in favor of the measure and said:

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

"As I mentioned before, I fully support the State's promise to fund collective bargaining agreements that were bargained in full faith and negotiation, and this is what we should do. This is the proper way to do it -- have a separate bill and address that issue and that issue only, and not combine it with other issues.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 193 was adopted and H.B. No. 1038, H.D. 1, S.D. 2, 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.

At 2:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:55 o'clock p.m.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 44, S.D. 1, H.D. 2:

Senator Fukunaga moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 44, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 44, S.D. 1, seconded by Senator Chun.

Senator Fukunaga explained:

"Mr. President, S.B. No. 44 and S.B. No. 638 are part of the Senate's original business incentives package. During conference, your Senate managers held out for perhaps more artfully drafted versions of S.B. No. 44, S.D. 1, H.D. 2, and S.B. No. 638, S.D. 1, H.D. 2. This is not because they were flawed but because they could be improved upon. Mr. President, you, members of the Senate, and your Committee on Ways and Means, throughout this session have supported the change in taxing exported and imported services and the depyramiding of the general excise tax on services. As stated in the budget committee report, these tax incentives would yield the greatest positive impact on the business community, both large and small, crossing all industries. They will stimulate the economy by lowering the cost of doing business in Hawaii, making Hawaii's service providers more competitive and levelling the playing field for Hawaii's service providers. Finally, they will bring money into the State as service providers will no longer be at a 4 percent disadvantage in competition with Mainland counterparts.

"The House has advised us that the Department of Taxation has approved both of these bills and that it can administer them both. I would note that both bills are effective on January 1, 2000 and any problems that exist can be quickly addressed during the year 2000 Regular Session. These bills would round out the Legislature's attempt to improve the economy. Coupled with other tax incentives provided in this year's S.B. No. 1583 for high technology businesses and the income tax decrease enacted last year, the Senate will have sent to the Governor the tools necessary for improving our economy.

"For all of the foregoing reasons, Mr. President, I would urge my colleagues to vote in support of these measures.

"Thank you."

At 3:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:05 o'clock p.m.

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 44, S.D. 1, and S.B. No. 44, S.D. 1, H.D. 2, 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.

S.B. No. 638, S.D. 1, H.D. 2:

Senator Fukunaga moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 638, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 638, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that S.B. No. 638, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Kanno rose to speak in support of the measure and stated:

"Mr. President, I rise to speak in support of S.B. No. 638.

"This is a key measure to help the small business community. The bill reduces the pyramiding effect of the general excise tax by reducing to one-half of 1 percent on the wholesale sale of services that are currently taxed at the 4 percent rate.

"The president and CEO of the Chamber of Commerce of Hawaii was quoted as saying, 'This is the best approach to helping small business and to revitalize the economy.'

"This bill lessens the tax burden on small business, and I urge my colleagues to support this measure. Thank you."

Senator Slom rose in support of the measure with reservations and said:

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

"I certainly appreciate the kind remarks of the small business representative -- my colleague from Makakilo who has always stood for small business issues -- but lest anybody get overjoyed, what the business community has said about general excise tax pyramiding is -- it has been the number one issue year, after year, after year. And the idea was to get rid of pyramiding, and it's unfortunate that our Governor, last year, thought it would have a major impact on our economy and then this year did a 180 degree turn and said that it wasn't that important. And the bill that we are passing, while it is a good bill and it addresses a major issue, we're talking about nearly seven years, Mr. President, seven years until the 4 percent general excise tax is phased down and the pyramiding reduced to 0.5 percent.

"I would suggest to you and to my colleagues that many of our business friends will not be here in seven years to enjoy the benefits of that bill. So, I would suggest again, when we talk about something at the beginning of the legislative session and say how important it is and what we're going to do, then, by God, we should do it! And we should do it right away and we should do it completely, not piece meal and not over seven years. So, with those caveats, I support the bill, Mr. President.

"Thank you."

Senator Anderson then said:

"Can that be a me too?" (Laughter.)

The Chair replied:

"We will incorporate the Minority Floor Leader's remarks as if they were your own."

Senator Nakata rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of this bill with reservations that are somewhat different from my colleague from Hawaii Kai.

"My reservation does relate back to the ERTF package which also, in addition to the depyramiding, included a slight raise in the general excise tax.

"Thank you."

Senator Taniguchi supported the measure with reservations as follow:

"Mr. President, I also wish to rise in support of this bill with reservations similar to the Senator from Kahaluu, and dissimilar to the ones from the Senator from Hawaii Kai."

Senator Levin rose to speak on the measure and said:

"Mr. President, I have two comments, actually both directed to the media.

"First of all, those of little faith who reported that depyramiding was dead on Friday, I hope that those stories will be retracted. Second, whenever there is any discussion whatsoever about increasing a tax, say from 4 percent to 5 percent, that is not reported to be a 1 percent increase; that's a 25 percent increase. I hope as we go down from 4 percent to 3-1/2 and 3, that those will be portrayed as 12-1/2 percent and 25 percent decreases as they should be if there is to be fairness and equity.

"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. 638, S.D. 1, and S.B. No. 638, S.D. 1, H.D. 2, 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.

S.B. No. 1177, S.D. 1, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1177, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1177, S.D. 1, seconded by Senator Chun and carried.

On motion by Senator Fukunaga, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1177, S.D. 1, and S.B. No. 1177, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1180, S.D. 1, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1180, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1180, S.D. 1, seconded by Senator Chun and carried.

On motion by Senator Fukunaga, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1180, S.D. 1, and S.B. No. 1180, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF NONRESIDENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1325, S.D. 1, H.D. 2:

Senator Fukunaga moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1325, S.D. 1, seconded by Senator Chun and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1325, S.D. 1, seconded by Senator Chun.

Senator Fukunaga noted:

"I'd like to note, Mr. President, that S.B. No. 1325, S.D. 1, H.D. 2, is a measure that signifies the Senate's commitment to rebuilding the economy by providing a qualified improvement tax credit, the core of which is improvement to hotels which will stimulate the hotel industry. Unfortunately, during our conference deliberations this bill was not amended into an appropriate form. If we do not act upon this bill today, the discussion is ended and our opportunity to take action will be lost. If we can send this bill to the Governor, the dialogue can continue, and if the House and the Governor agree, we can meet at a later date to fully flesh out this bill with appropriate corrections.

"For all of the foregoing reasons, Mr. President, I would urge my colleagues to vote in support of this measure.

"Thank you."

Senator Iwase rose to inquire as follows:

"Mr. President, just a point of inquiry. We received a memo, May 3, 1999, setting forth the bills that we are discussing now for final reading, and S.B. No. 1325 is not on it. Are we adding this to that agenda?"

The Chair responded: "Exactly."

Senator Iwase then said:

"Okay. Thank you very much."

The motion was put by the Chair and carried.

Senator Fukunaga moved that S.B. No. 1325, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Inouye rose to support the measure as follows:

"Mr. President, I speak in support of this measure. I am very pleased that we are able to resurrect the subject measure to assist hotels in construction renovations through this action of tax credit. We have been presented with plans for renovations and added construction from some in the industry who are committed to making necessary improvements to their properties, in turn, enhancing areas within their districts, adding new job opportunities for our people. It also gives other hotels incentives to upgrade their facilities, as well.

"Mr. President, I need to apologize. I have been a pain in your side for my persistence to resurrect the hotel renovations and construction bill. Though I also pushed for one addressing all construction, all is not lost, Mr. President. On behalf of the Hiltons, the Outriggers and, hopefully, more to follow, we thank you very much.

"I urge my colleagues' support."

Senator Anderson rose to speak with reservations on the measure and said:

"Mr. President, I had reservations on this measure. I'm glad it's out, but originally we were looking at \$25 million before they had any tax credits and then when we first started out it was supposed to be 4 percent across for them. I was upset that we were going to give a 4 percent off of refurbishing, when in fact every state building, every school, we have done nothing for in repair and maintenance and yet we're going to help private industry. However, the evening of going over these renovation bills, what we did is we allowed from \$25 million we went down to \$5 million. I asked if there is a way that we can take care of some of the smaller hotels. So Mr. Towill was going to give us a book on that. Maybe now with this bill at least going up to the Governor, I don't think it will be passed. I think he will veto it, and we'll be able to work on it.

"But the concerns are the smaller hotels. There should be an area in there where you can go from a zero to a hundred room hotel or motel whereby those people would be able to get at least a \$2 million break, if they refurbish. There's got to be a way so that we are not having big business fight small business all the time.

"So I think for those reasons and those reservations, I would hope my colleagues would consider it if it comes back.

"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. 1325, S.D. 1, and S.B. No. 1325, S.D. 1, H.D. 2, 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.

S.B. No. 570, S.D. 1, H.D. 2:

Senator Inouye moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 570, S.D. 1, seconded by Senator Levin and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 570, S.D. 1, seconded by Senator Levin.

Senator Inouye noted:

"The purpose of this bill is to extend the Waianae Coast Community Benchmarking Pilot Project through June 30, 2003 and to appropriate funds to support the work of the project.

"Thank you, Mr. President."

The motion was put by the Chair and carried.

On motion by Senator Inouye, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 570, S.D. 1, and S.B. No. 570, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT," having been read throughout,

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

Ayes, 25. Noes, none.

S.B. No. 207, H.D. 2:

Senator Nakata moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 207, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 207, seconded by Senator Chun.

Senator Nakata noted:

"Mr. President, on S.B. No. 207, Relating to Wastewater, the House renamed the special fund involved and made a technical amendment in order that fees can be deposited into the special fund, rather than the general fund."

The motion was put by the Chair and carried.

Senator Nakata moved that S.B. No. 207, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Slom rose to speak against the bill and said:

"Mr. President, I'm standing to speak against the bill.

"The bill creates the Board of Certification special fund. I oppose the 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. 207 and S.B. No. 207, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 635, S.D. 1, H.D. 2:

Senator Nakata moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 635, S.D. 1, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 635, S.D. 1, seconded by Senator Chun.

Senator Nakata rose and stated:

"Mr. President, on S.B. No. 635, the House draft on this bill Relating to Substance Abuse Testing, the House version contains language which allows for more use of the on-site pre-employment drug testing while still protecting the privacy and due process rights of employees."

The motion was put by the Chair and carried.

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 635, S.D. 1, and S.B. No. 635, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1147, S.D. 2, H.D. 2:

Senator Nakata moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1147, S.D. 2, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 1147, S.D. 2, seconded by Senator Chun.

Senator Nakata explained:

"Mr. President, S.B. No. 1147, the House draft, Relating to the Hawaii Workforce Development Council, these are just technical amendments."

The motion was put by the Chair and carried.

At 3:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:22 o'clock p.m.

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1147, S.D. 2, and S.B. No. 1147, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 64, S.D. 1, H.D. 1:

Senator Nakata moved that the Senate reconsider its action taken on April 27, 1999, in disagreeing to the amendments proposed by the House to S.C.R. No. 64, S.D. 1, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 64, S.D. 1, seconded by Senator Chun.

Senator Nakata then noted:

"On S.C.R. No. 64, S.D. 1, the amendment is to change the word from handicapped to disabled."

The motion was put by the Chair and carried.

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 64, S.D. 1, and S.C.R. No. 64, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY DISABLED PERSONS," was Finally Adopted.

S.B. No. 1011, H.D. 2:

Senator D. Ige moved that the Senate reconsider its action taken on April 15, 1999, in disagreeing to the amendments proposed by the House to S.B. No. 1011, seconded by Senator Fukunaga and carried.

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 1011, seconded by Senator Fukunaga.

Senator D. Ige rose to speak on the measure as follows:

"Mr. President, S.B. No. 1011 clarifies the roles of the State Foundation on Culture and the Arts and the executive director and staff. This bill was pursuant to an audit by the Legislative Auditor to clarify roles and responsibilities within the foundation. House Draft 1 removed the penalty provisions allowing the comptroller to assess penalties against other agencies, and House Draft 2 added the purpose and findings section requiring the Governor to appoint at least three commission members from each of the neighbor islands and made other clarifications in the program.

"It also inserted language from H.B. No. 316, H.D. 2, that: (1) designates the State Foundation as the lead state agency for the promotion of arts education in consultation with the DOE, UH and other organizations; (2) directs the State Foundation on Culture and the Arts to review, revise and complete the Hawaii Content and Performance Standards in the Arts for grades K-12 and develop a statewide strategic plan for its implementation with funding from the Works of Art special fund until June 30, 2001; and (3) requires the State Foundation on Culture and the Arts to include in its annual report its efforts and progress on the Hawaii Content and Performance Standards in the Arts.

"We did receive confirmation from the State Foundation on Culture and the Arts and the State Department of Accounting and General Services that they both express support for S.B. No. 1011, H.D. 2."

The motion was put by the Chair and carried.

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1011, and S.B. No. 1011, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 77, H.D. 1:

Senator Chun Oakland moved that the Senate reconsider its action taken on April 27, 1999, in disagreeing to the amendments proposed by the House to S.C.R. No. 77, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 77, seconded by Senator Iwase.

Senator Chun Oakland then noted:

"Mr. President, S.C.R. No. 77 requests that Child Protection Legislative Round Table and the Appleseed Public Interest Law Foundation examine and discuss selected issues relating to child abuse. All amendments are agreeable."

"Thank you."

The motion was put by the Chair and carried.

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 77 and S.C.R. No. 77, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTION LEGISLATIVE ROUNDTABLE AND THE APPLESEED PUBLIC INTEREST LAW FOUNDATION TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," was Finally Adopted.

S.C.R. No. 91, S.D. 1, H.D. 1:

Senator Chun Oakland moved that the Senate reconsider its action taken on April 27, 1999, in disagreeing to the

amendments proposed by the House to S.C.R. No. 91, S.D. 1, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 91, S.D. 1, seconded by Senator Iwase.

Senator Chun Oakland noted:

"Mr. President, S.C.R. No. 91 urges the Department of Health to foster an improved partnership with the University of Hawaii, School of Public Health. All amendments are agreeable."

"Thank you."

The motion was put by the Chair and carried.

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 91, S.D. 1, and S.C.R. No. 91, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," was Finally Adopted.

S.C.R. No. 194, S.D. 1, H.D. 1:

Senator Chun Oakland moved that the Senate reconsider its action taken on April 27, 1999, in disagreeing to the amendments proposed by the House to S.C.R. No. 194, S.D. 1, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 194, S.D. 1, seconded by Senator Iwase.

Senator Chun Oakland rose and said:

"Mr. President, S.C.R. No. 194 urges the collaboration of the Department of Health, Department of Education, the University of Hawaii, county Departments of Parks and Recreation, and other agencies and organizations to improve the fitness and physical activities of Hawaii's children and youth. All amendments are agreeable.

"Thank you."

The motion was put by the Chair and carried.

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 194, S.D. 1, and S.C.R. No. 194, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COLLABORATION OF THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII, COUNTY DEPARTMENTS OF PARKS AND RECREATION, AND OTHER AGENCIES AND ORGANIZATIONS TO IMPROVE THE FITNESS AND PHYSICAL ACTIVITY OF HAWAII'S CHILDREN AND YOUTH," was Finally Adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 100 to 107) were read by the Clerk and were disposed of as follows:

Senate Resolution

No. 100 "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE INDIVIDUALS WHO OPENED A DAY OF THE SENATE, TWENTIETH LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 1999, WITH AN INSPIRATIONAL INVOCATION."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 100, was adopted.

No. 101 "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWENTIETH LEGISLATURE, REGULAR SESSION OF 1999."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 101, was adopted.

No. 102 "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWENTIETH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 102, was adopted.

No. 103 "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 103, was adopted.

No. 104 "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 104, was adopted.

No. 105 "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 105, was adopted.

No. 106 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 106, was adopted.

No. 107 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 107, was adopted.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 15, from the Senate Judiciary Committee dated April 12, 1999, transmitting the executive summary and report reflecting the Committee's inquiry into the management

of and safety within Hawaii's correctional facilities and the response submitted by the Department of Public Safety, was read by the Clerk and was placed on file.

Senator Chumbley rose at this time and stated:

"Mr. President, in January you had instructed your Judiciary Committee to undertake a fact-finding inquiry into the management of and the safety within the Hawaii Correctional Facilities. Mr. President, we'd like to have these two reports (Misc. Com. No. 15) inserted into the Journal for the record."

The Chair having so ordered, Misc. Com. No. 15 is identified as ATTACHMENT "A" to the Journal of this day.

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, as you well know, over the last few days I think a lot of us have been getting a lot of communications. I don't mind when someone does a lot of name calling or whatever, but I think it's pretty bad when they think I'm rather stupid and don't understand what a threat is. And I just got this one today that says, 'Please understand that this is not a threat. This is a plea for reality.'

"Well, let me tell you what a threat is. When you have people phoning up . . . the last one was yesterday that says, 'Tell your father-in-law either vote the right way -- this is your second chance -- or you lose your job.' And my son-in-law said, 'I'm a custodian. You can have my job.' That's a threat. When you have people say, 'Things can happen to your house, we know where you live.' That's a threat. When you have people telling you your car is a certain color; your house is located in a certain area; your wife works at a certain place; your children go to school; we know where they play different games. That's a threat.

"Now, the Governor (the other night on television during a half hour that the media gave him) said that a threat, we don't understand. He said the Senators, I think, are rather new and they don't understand these people are not going to vote for them. Well, if that's the way the Governor feels, I don't know why he has guards all around him that we pay for. I don't understand why his house has security guards all around his home. I think that he believes that we are different. He has threats; all we get is people telling us what they're not going to do.

"So for those reasons, Mr. President, I stand now to tell people I don't think we're rather dumb. I don't mind being told that they won't vote for me. I don't mind if they feel they have to work against me. But don't make me feel like I'm a fool and I don't understand what a damn threat is, because I do. I resent it, and I will not stand for it. We have turned it over to the Police Department. That's how dumb we are. We have also turned it over to the school. That's how dumb we are.

"So I would hope that my colleagues, if you get the same thing, we were told if you get any threats turn it in, because if anything happens to you, if anything happens to your family, at least it's on record. So for those of you who believe that the Governor is right and it's just the people out there getting a little emotional and telling you that they're not going to vote for you or work for you, let me tell you there is a difference.

"Thank you."

Senator Tam rose on a point of personal privilege as follows:

"Mr. President, I thank my colleague from the windward side. Now that he mentions in terms of the threat and respectively I have received a threat for my family, and I have turned it over to the Police Department and they are now

investigating. I thank you for reminding us in terms of to stand up and be accounted for and be brave and not to be afraid of threats. I, quite frankly, don't take it lightly, especially when it goes against my family, my two young ones who are very innocent and who are now six years old and seven years old. It's very distasteful to me and to the rest of society.

"And also a second announcement, if I may, Mr. President. Previously, as the chairman for the Education Committee under your guidance, we had the pleasure during the interim of making a report on the players of educational roles, and respectively I will be submitting this to your office for the record. Thank you. We have identified in regards to the description of the roles of the players like the parents, the educator, the principal, the legislator and even the governor. And we appreciate in terms of the involvement in describing their respective roles so that we can work together.

"Thank you."

At 3:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:34 o'clock p.m.

Senator Slom also rose on a point of personal privilege and said:

"A point of personal privilege, Mr. President.

"So, we've come to the end of another legislative session. I just want to thank you, Mr. President, and I want to thank members of the Majority caucus, my colleagues.

"The fact is that I think the public has seen that in this body we have had full and open debate. We have debated a number of issues -- sometimes we've agreed; sometimes we've disagreed. Hopefully, the points that have been raised have been valid points and will make people think further and look at things further. And I think that's very healthy for democracy and for our process. I think that we understand that the purpose of us being here is to have better legislation and have a better economy, have a better standard of living for the people who sent us here.

"In the words of the Senator from Palolo that are historic . . . they were made just about a week-and-a-half ago as I was being lambasted by cheerleaders from one of my own area high schools. The Senator from Palolo made remarks that will be carved and etched in stone like this. He said and I quote: 'High Risk throw ups.' And some of the high risk throw ups this time were the fact that we did not work on the stress factor in workers' compensation. And we did not really turn the economy around. We did not really allay the fears of those who are hanging on by their fingernails and who will not be with us next year. We talk a great deal. We still are big in spending other people's money. We still have a lot of studies and task forces and panels and blue ribbon commissions. And we have to learn how to do things a little bit more efficiently and have the urgency that our friends and our neighbors have in our communities.

"But we made a start, Mr. President, and I'm here to say that I appreciate everything that my colleagues have done and the staff has done -- the staff of every individual here -- because those of us that are here know how hard they work and how dedicated they are and what they try to do.

"So I say mahalo for all of these things and remind you that this is the first session of the Twentieth State Legislature. We will all be back next year and hopefully -- after spending more time with our constituents and listening because, with apologies to Mitch Kahle, that's why God gave us two ears and only one mouth; it's better to listen and to find out what our constituents have to say -- we can come back and we can do even better. Because when we say that there's something important and we

want to do it, then lets do it immediately. Let's do it during the first months. Let's do it in January or February. Let's not wait until 11:59 p.m. on the 60th day of the legislative session. Let's get the people's work done.

"Reverend Peter Kamakawiwoole today in his prayer to us this morning said that it is a privilege for us to serve, and let us never forget that -- that it is a privilege and that we are, in fact, public servants. Let us not forget who sent us here and what they expect us to do. Let us listen to them. Let us accept their wisdom because every day they are faced with tough decisions that they alone have to make, and they have to reach into their own pockets and they have to do without. So when we vote on bills and we consider legislation, let's make sure that we can do the very best that we can do for our children, for our friends, and for our constituents.

"Thank you and Aloha, Mr. President."

Senator Buen rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Last week, Mr. President, some of us freshman Senators discovered that a trophy was given to a freshman Senator. And as a freshman Senator, I think I can speak for the other freshmen that this came as no surprise when our colleague from Waianae was selected by the University of Hawaii Professional Assembly to be honored and recognized as the outstanding freshman Senator. We were really proud of her.

"At this time, I'd like to ask the Senator from Hilo to come up and present the trophy on behalf of the University of Hawaii Professional Assembly, for all to see."

Senator Matsuura then rose and said:

"One other comment I would also like the Journal to reflect, the media to reflect, and especially our colleagues to understand, is that, as of today, we are no longer the freshman group. We are now the sophomore group.

"Thank you, Mr. President."

Senator Buen then added:

"Mr. President and fellow Senators, as freshmen, I'd like to say that when it comes to making tough decisions and hearing tough issues, we are no longer considered as freshmen.

"Thank you."

At 3:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At this time, Senator Matsuura presented Senator Hanabusa with the trophy from the University of Hawaii Professional Assembly.

The Senate reconvened at 3:41 o'clock p.m.

Senator Matsunaga then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"First of all, I want to thank the Senator from Hawaii Kai for reminding me of my historic words not too long ago. I had hoped that we would entertain a motion for reconsideration of Gov. Msg. No. 145, but it doesn't look like that's going to happen.

"On behalf of the Senate Judiciary Committee, I would like to thank all the members for their kokua. People often ask me why we're pushing out such tough crime bills. There was an article in yesterday's paper that I would just like to make sure everyone is aware of: 'A man attacked Ernie and Cookie

Monster in yesterday's Sesame Street live performance at Blaisdell arena. The unidentified man in the audience of the 1:00 p.m. show apparently flew into a rage after volunteering to dance with the character on stage. He flipped Ernie over and tried to pull off Cookie Monster's head. The woman who plays Ernie suffered from a stiff neck and went to the hospital. The performer who plays Cookie Monster was shaken but not injured.' Mr. President, that's why we need tougher crime laws. (Laughter.)

"One final mention, on H.B. No. 32 we didn't have the vigorous debate that we had had previously and I just want to read a poem that I had drafted. This is on industrial hemp. (Laughter.) I didn't read it during the debate because I was kind of hoping the bill would just slide through and it seems to have worked.

'A tiger lily is not a large cat,
The comic book Batman isn't a bat,
A dogwood isn't a canine, you know,
And wishing it was, still won't make it so,
The spice girls will not season your cooking,
And wine glasses will not help with your looking,
Linda Lingle, of course, isn't Kimo Apana,
And industrial hemp is not marijuana.' (Laughter.)

"Thank you, Mr. President."

The Chair responded:

"I believe there is a continuing education course in poetry writing at the University of Hawaii, Senator." (More laughter.)

Senator Sakamoto rose on a point of personal privilege as follows:

"A point of personal privilege, Mr. President.

"I like the levity from the Senator from Palolo, but I think Walt Disney said, 'perception is reality, and we're all on a stage here, like it or not.' And my prayer or my hope is that in the interim we can change the perception that we're all bad people, that we're all this or we're all that, into being truly representative of our people, and on issues, the hard issues, people have justifiable reasons for voting the way they voted. But my prayer is that we can get renewed and come back and work together, Mr. President."

Senator Chun Oakland then rose and said:

"Mr. President, I also wanted to say thank you to my colleagues for all the hard work that you have done, as well as our staff, the media and everyone here.

"I did want to acknowledge two colleagues of ours, the birthdays of Senators Andrew Levin as well as the birthday of Senator Colleen Hanabusa. Can we please extend a happy birthday to them."

Senate President Mizuguchi then delivered his closing remarks as follows:

"Members of the Senate, after many 'Sleepless in Honolulu' nights, I know you all want to head home for a well-deserved rest, so I'll keep my remarks very brief this evening.

"On opening day of the Twentieth State Legislature, I talked about the many challenging issues we faced during this special time in our history when two centuries will soon be converging.

"I also said that our most serious challenge during this session was -- and still is -- the economy. After lengthy and careful deliberations, we reached agreement with the House of Representatives on a number of measures that will lay the foundation for improving Hawaii's economy and helping all the people of our island community, most especially our children.

ADJOURNMENT

- First and foremost is the cornerstone of our tax relief package -- de-pyramiding of the General Excise Tax on goods and services that will provide our businesses with the tax relief they have sought for many years. In addition, excise taxes on professional services performed out-of-state have been eliminated, thus continuing our efforts to improve the business climate in Hawaii.
- We passed a balanced budget that provides for current services, including the basic necessities of health, human services, public safety, and education.
- We passed a high-tech omnibus bill that provides tax credits and other incentives for those wishing to invest in the technology business.
- We passed comprehensive legislation to establish 'new-century' schools, whereby existing and new schools will have the autonomy to chart their own course in meeting the demands of the twenty-first century. While these student-centered schools will have the flexibility to define their academic goals, they will be held accountable for the academic performance of their students.
- We provided funding to enable the Department of Education to fulfill the requirements of the Felix v. Cayetano consent decree and prevent reducing or discontinuing essential services for students in regular and special-education programs.
- We held fast to our promise to make good on the retroactive collective-bargaining pay raises negotiated for government workers last year. We are also providing for well-deserved judicial pay raises.
- We passed measures to put more 'teeth' into our criminal justice system in order to protect women and most especially our children.

"The 1999 legislative session ends today, but our work does not end. During the interim, I will be conferring with the various chairs to address their respective key issues and the work we must do as we enter the new millennium. Two vital areas that will need our full attention during the interim are to develop major reforms in education and civil service.

"I want to thank all the Majority and Minority Senators who worked together to develop the final product that we can all be proud of. The vast experience of the veteran Senators coupled with the fresh ideas and enthusiasm of the freshmen Senators greatly contributed to the excellent balance during the process.

"We all want to serve our constituents and the greater public good. In working together, the chords of unity within the Senate became a bit frayed at times. However, I am confident after this session that we will continue to work together toward the noble objectives that have brought us together.

"I'm grateful to you and your staffs for all the hard work.

"Mahalo and aloha."

At this time, the President appointed Senators Ihara, Chumbley, Chun, Anderson and Slom to inform the House of Representatives that the Senate is ready to adjourn, Sine Die.

At 3:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:06 o'clock p.m.

Senator Chun moved that the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, adjourn Sine Die, seconded by Senator Slom and carried.

At 4:07 o'clock p.m., the President rapped his gavel and declared the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, adjourned Sine Die.

ATTACHMENT "A"

**Senate Judiciary Committee
Inquiry into the Management of and Safety within
Hawaii's Correctional Facilities**

During the summer of 1998, as the Co-Chairs of the Senate Judiciary Committee, we were contacted by journalist Robert Rees, Governor Benjamin Cayetano, members of the American Civil Liberties Union of Hawaii and the United States Civil Rights Commission, and others who urged the Committee to investigate allegations of physical abuse and neglect of inmates incarcerated in Hawaii correctional facilities. Based upon these concerns, we made the commitment to conduct a fact-finding investigation during the 1999 legislative session. After consultation with the Senate leadership, we have proceeded with a fact-finding inquiry that was conducted within the Senate's limited resources and time constraints of the legislative session. The following summarizes the Committee's findings:

- Inmate abuse and neglect is a symptom of a larger problem, which is the lack of a clear vision for the state correctional system and the lack of strong leadership to address systemwide problems that have plagued the Department of Public Safety (formerly the Department of Corrections) since its inception.
- Communication between the department's administration and the management and staff at state correctional facilities has been poor, resulting in widely differing interpretations of departmental policy and procedures.
- Personnel recruitment, screening, promotion, and grievance procedures are ineffective, resulting in low employee morale and vast disparities in employee quality within state correctional facilities.
- The department's grievance process and internal investigation mechanisms lack accountability, which have resulted in inadequate investigation and follow-up regarding allegations of inmate abuse and neglect.

In our capacity as legislators, we have limited authority over the administration of the department and the management of their programs and personnel. However, as the Co-Chairs of the Senate Judiciary Committee, we acknowledge our responsibility for the oversight of public safety programs and our need to address these findings to the extent practicable. Thus, we are recommending a multi-level approach, to include:

- A written response from the department's administration, to be submitted to the Committee within thirty days, outlining a plan of action and timelines to correct deficiencies noted by the Committee in their report to the department, including an immediate review of and any necessary revisions to departmental policies and procedures relating to acts of violence within the correctional facilities.
- The introduction and adoption by the Legislature of a Senate Concurrent Resolution requesting a department-wide management and financial audit, with annual follow-up audits during the tenure of the present administration.

- The establishment of a joint interim oversight committee to receive and review status reports on the administration's progress in implementing their action plan to address the Committee's findings.
- Transmittal of information received by the Committee, which may need further investigation by either the county or federal prosecutor, or both.

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SENATE JUDICIARY COMMITTEE

INQUIRY INTO THE MANAGEMENT OF AND SAFETY WITHIN HAWAII'S CORRECTIONAL FACILITIES

I. BACKGROUND

A. THE PRISON SYSTEM

As of January 24, 1999, Hawaii's eight correctional facilities housed a total population of 3,634 inmates. This number does not include the 1,200 inmates residing in mainland facilities. Statewide, correctional facilities are operating well above the desired normal occupancy rates. Hawaii's correctional facilities have a total design capacity of 2,197 and an operational capacity of 3,122. This translates into an occupancy rate of 116 percent. Halawa Correctional Facility is operating at an occupancy rate of 129 percent. Rapid growth in the prison population has taxed all systems within the prisons: construction, programming efforts, and training of corrections staff have all been challenged by the ongoing increases in the number of inmates committed to our correctional system.

Ensuring the safety of inmates and staff is an immense challenge for prison officials, given the nature and size of the prison population. Many of the inmates housed within the correctional facilities, especially Halawa, have demonstrated a strong propensity for violence. All of them have a history of violating established rules and norms set by society.

Nevertheless, the Eighth Amendment of the United States Constitution requires that prison officials provide inmates with such minimum essentials as adequate food, shelter, clothing, medical care, and safety. The basic responsibility of PSD is to house offenders in an environment that is secure. This security includes an obligation to prevent physical harm to inmates wherever possible.

B. THE INQUIRY

1. The issue is brought to the Committee's attention.

In the July 22, 1998 edition of the Honolulu Weekly, journalist Robert Rees wrote an expose, entitled "Notes from the Underground," which recounted the stories of several Halawa Correctional Facility inmates who died, suffered serious injuries, or apparently committed suicide while in the correctional system. As a

result of this article, Governor Benjamin Cayetano, the American Civil Liberties Union of Hawaii, the United States Civil Rights Commission, and others urged the Committee to investigate the allegations of physical abuse and neglect of prison inmates.

2. The Committee begins its inquiry.

It is within this Committee's purview to oversee all matters relating to public safety and corrections pursuant to the Senate rules. Thus, the Co-Chairs sought the advice and approval of the Senate President to conduct an investigation into the abuse and neglect of inmates by correctional officers. The possibility of creating a senate special investigative committee with full subpoena power was discussed and rejected as being too presumptive at this time. Therefore, the Committee's inquiry was limited to those resources available and at our disposal.

In December 1998, the Committee began its inquiry by researching reported cases of inmate abuse and neglect, including inmate deaths. The Committee also spent several weeks conducting interviews with the State Auditor, the Ombudsman, several correctional officers who preferred to remain anonymous, and other disinterested individuals to fully understand the extent of the problem, the underlying causes, and possible solutions. The Committee believed that these disinterested individuals would provide a reasonably objective view of the issues involved.

3. The Committee holds a public inquiry.

The Committee held a two-day inquiry to determine the status of efforts in the state correctional system to ensure the safety and welfare of inmates and staff. On January 28, 1999, the Committee held a public inquiry and requested the presence of the Acting Director of the Department of Public Safety, the Attorney General, the State Director of the United Public Workers' Union, the American Civil Liberties Union, the United States Commission on Civil Rights, and journalist Robert Rees.

On January 29, the Committee provided the general public an opportunity to voice concerns about the perceived problems within the correctional system. The intent of this hearing was to afford any individuals who were not invited to the prior day's inquiry or interviewed by the Committee an opportunity to share their knowledge and concerns about the issue. Testimony was received from the Community Alliance on Prisons, Government Efficiency Teams, Inc., TJ Mahoney & Associates, former inmates of the Womens Community Correctional Facility, family members of current and former inmates, and other concerned individuals.

II. FINDINGS

Due to the severe time and resource constraints, the Committee limited its review to documents and information reasonably available. Therefore, this fact summary is in no way meant to be exhaustive. The majority of information contained in this summary originates from:

- The Department of Public Safety
- The Department of the Attorney General
- The Department of Human Resource Development
- The State Auditor
- The State Ombudsman
- The American Civil Liberties Union
- The United States Commission on Civil Rights
- Inmates, including their attorneys or family members
- Employees of the Department of Public Safety who wished to remain anonymous

The Committee recognizes that neither the inmates nor PSD personnel can be considered neutral witnesses. For reasons that are self-evident, inmates and staff are interested in the outcome of this inquiry. The Committee must also take into account the undeniable presence of a "code of silence." As the evidence clearly shows, this unwritten but widely understood code is designed to encourage prison employees to remain silent regarding the improper behavior of their fellow employees, particularly where excessive or unreasonable force has been alleged. Those who defy the code risk retaliation and harassment. The Committee has considered all of the above, as well as the manner and demeanor of informants, in assessing their credibility and in making our findings.

A. PROFESSIONALISM OF PSD EMPLOYEES AND STAFF

A serious problem for PSD is the recruitment, training, and retention of qualified staff. By all accounts, the duties of a correctional officer are stressful and oftentimes dangerous. All parties agree that correctional officers work with some of the most antisocial persons in our community, but many are inadequately trained or are not given the support they need to effectively deal with the inmates.

This inability of some correctional officers to deal with difficult inmates leads some to conclude that all correctional officers are corrupt, violent, and brutal manipulators of the system. Despite the stigma attached to their occupation, the majority of officers work diligently and take pride in their work.

1. Recruitment

Entrance requirements for a correctional officer are essentially similar to those of a deputy sheriff, a police officer, and other law enforcement personnel. Applicants are required to demonstrate that they possess the traits and characteristics required for the job. These include alertness, tact, integrity, honesty, good judgment, and the ability to deal with inmates and other employees. In addition, applicants are required to possess the emotional and mental stability appropriate to the job and working conditions. However, the Committee notes that these qualifications are so subjective that they render ineffective any screening process based solely on these factors.

2. Training and Retention

Proper training of correctional officers is the means through which staff can understand the responsibilities of their job, how they receive instruction and training for promotions, and how the department's goals, objectives, and vision are made known. Testimony indicated that newly recruited correctional officers are required to attend a 264-hour basic training course that covers such areas as security procedures, supervision of inmates, suicide detection, use of force, safety procedures, fire and other emergency procedures, interpersonal relations, stress management, and governing rules and regulations. This basic training appears to meet the standards set forth by the American Corrections Association.

At the same time, PSD also provides a variety of in-service and out-service training programs to meet the needs of all departmental employees. The typical courses offered by the department include: anger management, conflict management, communications, cultural diversity, dealing with conflict, and dealing with hostile people among others. Further, PSD affords its employees the opportunity to attend classes conducted by the Department of Human Resources Development as well as attend training classes sponsored by other governmental agencies and the National Institute of Corrections.

The Committee finds that while PSD offers adequate training courses for all of its employees, correctional officers do not take advantage of these classes. PSD testified at the inquiry that it is sometimes difficult for employees to take advantage of the training courses, because when an employee attends training, the department needs to find another employee to cover the shift, which may lead to overtime

compensation. However, the Committee has also learned that many correctional officers are not receptive to the idea of additional training, and some officers view training as a type of punishment, and therefore, they may not put into practice what they have learned.

3. Staff Morale

Staff morale is an important key to effective management and maintaining sound employee/management relationships.

During its preliminary research, the Committee learned that many correctional officers were dissatisfied with the low salary, the limited opportunities for promotion, and the promotion process in general. There were several reported instances where correctional officers were promoted after passing a written examination even though they had been subject to disciplinary action in the past. This practice had a demoralizing effect upon other correctional officers who had clean records, perfect attendance records, and superior job performance ratings. At the inquiry, the Committee questioned PSD officials and learned that promotions are awarded based solely upon a written examination process. Seniority is a factor that is considered only when there are two equally qualified individuals and that disciplinary actions are not considered when determining promotions.

Another factor that impacts upon staff morale is the lack of a nepotism policy. Section 378-2, Hawaii Revised Statutes, prohibits an employer from refusing to hire, fire, or promote an employee based on a marital relationship. However, there is nothing in statutes that would prohibit the department from promulgating its own rules or establishing guidelines that would prohibit a spouse or close relative from working in any part of the organization where they would be under the direct or indirect supervision of a relative.

The Committee also noted during its investigation that a dichotomy exists between the correctional officers and other employees within the facility. The result is that these two groups do not work cooperatively together and are often at odds with each other. The correctional officers are charged with controlling the security of the facility and view their role as maintaining discipline and preventing escapes. On the other hand, the other institutional employees are identified as the "professionals;" social workers, nurses, psychologists, physicians, and teachers whose role is to provide counseling to the inmates and help inmates improve their lifestyles.

B. INCIDENTS OF ABUSE AND NEGLECT

1. Standard of Conduct

Although correctional officers abide by a code of conduct, the Committee was told that this code is "hypocritical" and ineffective because employees constantly violate these standards.

2. Possible Deviations from Standards

According to the 1997 Sourcebook of Criminal Justice Statistics, a total of eleven inmates died while in Hawaii's prisons. Six inmates died of illnesses or from natural causes. One inmate died from AIDS. Another died at the hands of another. Three inmates committed suicide. This means that for every 1,000 inmates, 3.1 inmates die. In Utah, whose prison population is similar in size to Hawaii, they average only 1.7 inmate deaths per 1,000 inmates. Thus, Hawaii is on par with the death rate of Texas (3.1) which has a significantly larger prison population. Texas has a total population of 127,766 inmates with 399 prison deaths.

During the inquiry, the Committee heard stories of corruption and inappropriate staff misconduct in which inmates were allegedly abused throughout the state correctional system. While the Committee cannot judge the validity of this information, the fact that there is a widespread perception of abuse must serve as a clear warning sign that PSD has many significant problems to overcome.

Since the early 1980s, the corrections system has been hampered by allegations of the use of excessive force by correctional officers when subduing or regaining control of inmates. In 1981, the Oahu Community Correction Center conducted a search and seizure of the facility that lasted five days, cost the state well over \$250,000, and led to a series of investigations spanning three years. During this 1981 shakedown, seventeen inmates were treated for injuries and one inmate had to be sent to a local hospital for treatment. The Ombudsman conducted an investigation into the 1981 shakedown and found evidence that unreasonable force had been used against forty-four inmates and requested that disciplinary action be brought against thirty-two employees. However, all charges against these officers were dismissed. The use of unreasonable force became a chronic problem that allegedly continues today.

The Committee discovered that the number of inmate complaints alleging the use of force peaked during 1995 and 1996 at Halawa Correctional Facility and attributes this to the policy of "Treatment for Special Case Inmates." This was articulated in a memo from the Chief of Security to the Warden providing guidelines "in an effort to manage disruptive inmates who continue to disregard the good government of the facility." There seems to be a dispute about who knew of the existence of the policy and what administrators and line staff were involved in the implementation of the policy. However, it is undisputed that the policy was in effect and several inmates were seriously injured because of it. The Committee noted that the use of video monitors placed at strategic points, which would provide an objective view of all in-prison activities, are severely lacking inside the correctional facilities. The Committee believes that there is a compelling need for this type of monitoring, which would provide an independent view of events, after the fact, if required to assist an investigation.

3. Prior Complaints and Investigations

According to the Department of the Attorney General, from 1991-1998, the state settled 67 lawsuits, arising from actions taken by PSD, for approximately \$3,174,357. From 1989 to the present, the Tort Litigation Division handled approximately 204 civil lawsuits filed by or on behalf of inmates. Of these 204 cases, fifty-six cases involved issues of brutality, use of excessive force, and/or inappropriate conduct.

In two reported and well-publicized cases of inmate abuse, the Ulysses Kim and Anthony DeGuzman lawsuits, the State settled out of court for a total of approximately \$400,000. The Attorney General noted that the State does not settle cases without some substantiation of negligence on behalf of the State, whether it is the line staff or the administration. The Committee was informed that along with the recommendation to settle a lawsuit, the Attorney General offers PSD possible resolutions to the present problem in order to prevent future similar lawsuits. In the cases of Kim and DeGuzman, the special handling policy was withdrawn before the State settled these cases. The Attorney General was not aware of that any other recommendations were given to PSD.

The Committee was informed of allegations of inadequate investigation, questionable practices by the Internal Affairs, and that no disciplinary actions were taken in any of those cases.

4. Allegations of Specific Abuses

The Committee received information from several independent sources alleging abuses ranging from individual cases to system-wide corruption. The Committee recognizes the serious nature of these charges. However, this Committee has neither the appropriate authority nor the personnel, resources, or time to

investigate these claims. Furthermore, the Legislature is not the appropriate branch of government for the investigation of any criminal activity. The Committee believes that the prosecutors, either state or federal, would be the more appropriate body to pursue these charges.

C. ACCOUNTABILITY OF STAFF FOR THEIR MISCONDUCT THE GRIEVANCE PROCEDURES

There are multiple mechanisms within Hawaii's correctional facilities for reporting incidents or conditions that require the attention of upper management. PSD officials testified about its inmate grievance procedures and the role of the Investigations Division Administrator and the Internal Affairs divisions that investigate all inmate complaints. In addition, independent agencies such as the Ombudsman's Office, the American Civil Liberties Union Hawaii Chapter, the courts, and the legislature also play a role in overseeing prison conditions.

Within PSD, various divisions have distinct responsibilities for dealing with problems within the state correctional system. The following is an overview of these mechanisms.

1. The Inmate Grievance Process

The grievance system operates through the normal chain of command. As part of inmate orientation, inmates are given an explanation of their right to complain about conditions or events. Every grievance is reviewed by staff not associated with the event or condition for which a grievance is made.

The grievance process has three steps. The first step of review of inmate grievances takes place in the unit where the inmate is incarcerated and is handled by the facility's grievance officer. An inmate must file a grievance within fourteen days from the date of the incident. The grievance officer has fourteen days to respond to the inmate's complaint. For all grievances where this informal resolution is not possible, the grievance officer assigns appropriate staff to investigate and respond within fifteen days. If the inmate is not satisfied with the result, the second step is that the inmate may file an appeal and the appropriate personnel have fifteen days to respond. The final step is that if the inmate appeal is not resolved to the inmate's satisfaction, the inmate may file an appeal with the division administrator or the inspector general who must respond to the inmate within 20 days. The inmate should also receive written notification of the disposition of his case at each step of the process. Inmates must exhaust their administrative remedies in the grievance system before they can pursue either state or federal litigation.

During 1995, Hawaii correctional facilities reported 5,658 inmate grievances. In 1998, Halawa Correctional Facility alone reported approximately 4,000 inmate grievances. The majority of inmate complaints concerned missing clothing or other laundry mishaps. However, PSD testified that it could not provide the Committee with any specific information on these grievances.

2. Investigation of Grievances

Once an inmate files a complaint alleging brutality, excessive force, or inappropriate conduct on behalf of a correctional officer, the incident reports are reviewed and an investigation is conducted by the correctional facility. If the investigation finds that a correctional officer has used excessive force, the division administrator recommends to the Director that internal affairs should become involved in the investigation.

PSD could not provide the Committee with information regarding how many cases of excessive force are reviewed each year or the number of allegations that were sustained and resulted in a disciplinary action.

However, there are important questions that still remain:

- How many staff members received serious injuries in altercations with inmates?
- How many inmates received serious injuries in altercations with correctional officers?
- How many cases involved an inmate who was seriously injured and yet the department did not find an excessive use of force?
- Is there a correlation between excessive force and serious injury?
- Is there a correlation between the filing of multiple grievances by an individual inmate and subsequent injury to the inmate?

The problems associated with the lack of a reliable system for reporting serious injuries became apparent during the inquiry. Enough injuries take place in the prison system to warrant some type of remedial action. However, in the absence of a clear accounting of injuries, it is impossible for prison managers to specify where action is most needed and where they are likely to be most effective. Systemic problems and dangerous trends are impossible to remedy if they have not been specifically identified.

III. RECOMMENDATIONS

A. SUMMARY

Throughout the two month long inquiry into the state correctional system, the one major theme that kept surfacing was that the management of the department dictates whether or not the correctional facilities are run properly. Although the Committee received favorable comments about the ability of the Acting Director to lead the Department of Public Safety, the Committee has reservations about the efficacy of the department to make the necessary changes without outside assistance and oversight.

Since the Governor controls the ultimate management of PSD, through his appointment of the Director, the Committee believes that the Governor should assist the Acting Director with developing and articulating a clear philosophy of corrections. Therefore, the Committee requests that the Acting Director submit, within thirty days, a plan of action that clearly articulates the Department's long-term, intermediate, and short-term goals and objectives; including the specific means and a timetable by which these goals and objectives will be achieved.

B. SPECIFIC RECOMMENDATIONS FOR THE DIRECTOR

This plan should also address the following:

1. Administration

- The department's administration needs to take a more "hands on" and directly involved approach to the management of corrections. The Director should be more visible within the prisons and to be more readily accessible to discuss problems and concerns with correctional employees. The Director is encouraged to not adopt a strict "chain of command" approach in which he relies exclusively on his correctional administrators and supervisors to inform him of problems and needs within our State's prisons. The Director is advised to set up regularly scheduled, on-site visits to each correctional facility during which he can talk with corrections employees and meet with representatives of each management and employee group, and especially with adult correctional officers.
- Correctional branch administrators should be given no later than the end of the year to bring their management skills up to acceptable standards. If the administrator fails to do so, a process should be undertaken immediately to replace the administrator.

- The department's administration needs to better and more thoroughly familiarize itself with contemporary studies and research relating to the department's correctional programs and management.
- The department's administration must work to foster communication and working relationships among the administrators and staff of the correctional facilities and between each facility and the department. It is especially important that each facility shares a common understanding of departmental priorities and objectives.
- The director should seek the input of correctional professionals and experts from Hawaii and the mainland.
- In the future, the department's administration needs to be more open with the Legislature in discussing concerns and problems affecting the state correctional system.
- The department's administration should examine, with the Attorney General, the feasibility of requesting a full-time deputy attorney general and support staff dedicated to managing and monitoring all inmate grievances and legal proceedings, especially to ensure that all settlement recommendations are followed through.

2. Personnel

- The administration of the department needs to make visible and substantial progress in resolving long-standing management problems within corrections.
- The department's administration should make a greater and more visible effort to discipline or reprimand supervisors or other employees within the department who are guilty of misconduct.
- The department's administration should collaborate with the Department of Human Resources Development to conduct a "needs assessment" for all departmental staff, and then institute training and educational programs that will facilitate improving staff morale.
- The department's administration should collaborate with the University of Hawaii, through the community colleges, and other corrections experts to develop a curriculum that would help correctional officers deal with the daily on-the-job situations. (similar to the EMS programs)
- The department's administration should consider the implementation of a nepotism policy and work with the Department of the Attorney General to develop such a policy.
- The department's administration should consider reviewing and revising the screening factors for hiring of correctional facility staff and the promotions policy.
- The department's administration should consider, with the United Public Workers Union, feasibility of allowing employees to transfer to from one facility to another voluntarily without the employee having to show hardship.

3. Inmate Abuse and Neglect

- The department's administration should examine the feasibility of requesting assistance for those inmates who suffer from mental illnesses from the appropriate mental health agency. In addition, the department's administration should collaborate with these agencies to examine ways to get the inmates the treatment they need.
- The department's administration should examine the problem of substance abuse by both inmates and staff and to identify the ways in which drugs are being brought into the system.

- The department's administration should examine the feasibility of using video monitoring at all correctional facilities as a means of monitoring the activities of inmates and staff as well as a tool to assist in the timely administration of an investigation.

4. Grievance Process

- The department's administration should examine the investigation process - the internal affairs structure, staffing, and the independence of the division.
- The department's administration should implement a more effective information management system. There is a clear need for an accurate, comprehensive reporting system that will enable PSD to look beyond anecdotal evidence to determine where prison conditions are unnecessarily dangerous.

C. Recommendations to the Auditor

In addition, the Committee will request that the Auditor conduct a comprehensive financial and management audit of the Department of Public Safety and require yearly follow-up audits for the next four years to ensure that the Director implements the recommendations of the Auditor.

D. Recommendations for Further Legislative Action

In addition, the Committee will request that the Legislature adopt a concurrent resolution that establishes a committee that will provide oversight and further direction to the department's administration regarding the implementation of these recommendations.

E. Recommendations for Further Criminal Investigation

The Committee received information that alleges abuses ranging from individual cases to system-wide corruption and believes that some of these charges might indicate criminal activities that should be made known to the appropriate agencies for investigation.

IV. CONCLUSION

It is important to note that there are limits to the efficacy of measures taken to ensure inmate and corrections officer safety. No amount of heightened vigilance can prevent isolated altercations from occurring between physically confined individuals with histories of aggressive behavior or untreated mental illness. The most effective method for dealing with this challenge is to implement clear rules for both guards and inmates, and to make the consequences of inappropriate behavior swift and fair. The relationship between the safety of guards and inmates cannot be overemphasized. If guards feel safe in their jobs, they are much more likely to respond to difficult situations in an appropriate, measured manner. If inmates feel safe, they are less likely to be aggressive to ward staff and other inmates.

The Committee heard troubling testimony about various kinds of problems within the state correctional system. Although much of the testimony was compelling, the fact remains that the Committee - and the Legislature in general - is not the appropriate venue to adjudicate specific disputes or to determine the veracity of wildly differing accounts of the same event. Thus, in this report, the Committee does not believe it should respond in a reckless manner, resulting in setting "policy by anecdote", but rather the Committee seeks to establish standards of accountability that will be generally applicable in guiding the correctional system in creating sound management policy for the future.

Department of Public Safety
Response to the
Senate Judiciary Committee's
Inquiry into the Management of and Safety within
Hawaii's Correctional Facilities

Submitted to the Senate Judiciary Committee
March 10, 1999

INTRODUCTION

We would like to thank the Senate Judiciary Committee for this opportunity to respond to the findings and recommendations of its Inquiry into the Management and Safety within Hawaii's Correctional Facilities. The Department of Public Safety (PSD) submits the following response.

Vision for the State Correctional System

The Director of Public Safety is a corrections professional. Like the Committee, he is painfully aware that there has been a lack of clear vision for the state correctional system. This problem has been compounded by instability in the leadership of the department. From 1987, when the Department of Corrections (predecessor to the Department of Public Safety) was formed, until 1998, five separate persons have served as director or acting director. Only one of these persons had any background in corrections.

This Director has a firm understanding of the various complex aspects of corrections. He is aware that much work needs to be done in such basic areas as inmate programming, inmate classification, delivery of health care, security awareness, staff-inmate interaction, and emergency preparedness. He has already changed some important procedures and started the implementation of training programs to effect other changes. Even more importantly, he has emphasized - and will continue to emphasize - to correctional staff that his operational philosophy is rooted in principles such as:

- Correctional facilities operate within our nation's overall system of democracy, and one of the basic tenets of any democratic community is justice. Therefore, the principles of justice must be applied inside the correctional facilities as well. All persons in any correctional facility--every employee and all inmates--deserve to be treated justly;
- Inmates are incarcerated as punishment, not for punishment; they are criminal offenders, but they are human beings first;
- The primary purpose of correctional facilities is to securely incarcerate, but this period of incarceration gives us a unique opportunity to effect positive changes in peoples' lives;
- Everyone who works in corrections is a role model for inmates. Therefore we must model positive behaviors for inmates; and
- While sound programming is essential, it cannot take place unless there is adequate and appropriate security.

The Director also understands the need for strong leadership in the department, and is willing and prepared to provide it. He believes leadership is best communicated through actions. To this end, he is committed to hard work; open communication with staff, inmates, and the public; a high level of visibility; and an unwavering adherence to ethical behavior and professional standards.

The Director is also keenly aware of the need for leadership and accountability at all management levels of the department. To this end, he has instituted training for key managers in leadership principles, as part of a process of clarifying the department's mission and developing a unified strategy for fulfilling that mission. This process will also help to solidify the leadership team for the department. The Director is also committed to holding managers accountable, and will insist that managers in turn hold their subordinates accountable.

Policies and Procedures Relating to Acts of Violence

The department has asked the American Correctional Association (ACA) to review five of its policies and procedures relating to acts of violence within correctional facilities. The department will review recommendations made by the ACA and incorporate changes to our present policies as soon as it receives ACA's response. Meanwhile, the department has moved forward with the following:

- I. Reiterated current policies by emphasizing to all managers that use of unnecessary or excessive force will not be tolerated. Any staff member found guilty of using unnecessary or excessive force will receive immediate and appropriate disciplinary action.
- II. Reviewed the training course provided for adult correctional officers in Use of Force and identified needed improvements. The Director has tasked several experienced senior staff who are also qualified trainers, with updating this course. All adult corrections officers in the system will be retrained by May 30, 1999.
- III. Committed to implementing training in Crisis Intervention and Defusion Techniques. This course is designed to defuse and contain crises to minimize the instances in which physical force is needed. It also trains staff on defensive techniques that help them out of situations that turn physical.
- IV. Twelve departmental staff will be provided with intensive training to certify them as instructors in this course. Subsequently, these staff members will train other staff who have inmate contact. The department projects that it will take at least one year to put its entire correctional staff through this week-long course, after the trainers are certified.
- V. Reiterated current policies by emphasizing to all managers that the following will be strictly enforced:
 - A. All incidents in which force is used shall be immediately reported to the Director.
 - B. All staff involved in incidents in which force is used shall submit written reports prior to leaving the facility.
 - C. All planned uses of force shall be video taped.
 - D. The Director shall be immediately notified of all deaths.

- E. The scene of each death shall be handled as a crime scene. The police and Internal Affairs shall investigate each death. All staff involved in the case shall submit written reports prior to leaving the facility.
- F. The Health Care Unit of the facility shall complete a mortality review in each case of an inmate death.

RESPONSE TO SPECIFIC RECOMMENDATIONS FOR THE DIRECTOR

I. Administration

- A. The Director's preferred style is "leadership by walking around (LeBWA)"--that is, making it a point to be physically present throughout his department on a regular basis. He intends to visit correctional facilities periodically, on announced and unannounced bases. Effective immediately, he expects his deputies and division administrators to adopt this management style as well.

Furthermore, the Director has an open door policy that extends to all staff within the department, regardless of their position and rank. His willingness to talk with all departmental staff led him to visit all facilities at various times, including the night shift, prior to the opening of the 1999 Legislative Session.

- B. The Director is currently planning the implementation of an accountability system for correctional managers. The system will involve the establishment of clear performance standards for each manager. This will enable the executive staff of the department to measure the progress made by its managers. In turn, each manager will know what is expected of him/her (i.e., identifying priorities, setting goals and objectives, etc.). Performance expectations will be set forth by June 30, 1999. This system will provide information essential to conducting each manager's Annual Performance Appraisal (PAS). At the end of each annual rating period, managers who do not meet performance expectations will be handled in accordance with established State personnel rules.
- C. The department understands that it can improve its programs and management by taking advantage of contemporary studies and research relating to corrections. It will take full advantage of all opportunities that may be available. For example, in January, the department arranged through the Department of Justice to have two experts review its substance abuse treatment program. Specifically, these experts focused on assessments, appropriateness of available programs, and whether the department's policies and practices facilitate proper placement of inmates in the treatment programs consistent with their need.

Also, this week, the leading national expert on suicides in correctional facilities will be reviewing the department's policies and procedures for identifying inmates at risk of suicide, as well as programs for preventing suicides. We intend to implement every recommendation made by the consultant to the extent possible and as our resources allow. The department also intends to utilize the consultant's expertise to provide training to staff, if training is needed to improve our programs.

The Director's executive management team will be in continuous contact with resource organizations such as the American Correctional Association and the National Institute for Corrections (NIC) for technical and training assistance and to keep abreast of current issues and trends in correctional program management. For example, the Director recently learned that the NIC will be providing a series of training courses for the Northern Marianas, Guam and Saipan. He has obtained an oral commitment from the Director of the NIC to allow trainers to stop in Hawaii to provide training for Hawaii's correctional staff.

The department will make every effort to bring national experts to Hawaii as often as possible, so that its staff can be exposed to the latest research and best programs and practices in the field. The department recognizes, however, that this is not enough. We also need to attend training seminars in other states, visit other effective programs and facilities to obtain first hand perceptions, and attend professional conferences where we can meet and learn from the leaders in our field.

To this end, the department will request a budget of \$30,000 to allow at least twelve of its staff to attend selected conferences and seminars, and to make site visits so that they can improve their programs. This will also be used to develop up and coming managers who will be the future leaders of the department.

In addition, the Department will make every effort to nominate its staff, especially its line and middle management staff, for training slots at the NIC's National Training Academy.

- D. To foster better communication and better working relationships among all levels, the department will institute the following, effective immediately:
1. The department administration will hold regular staff meetings with wardens and other correctional managers. Each correctional manager will be expected to hold weekly staff meetings with their section supervisors. These section supervisors will be required to inform their subordinates of what transpired at the meetings.
 2. In addition, the department is researching the feasibility and cost-benefits of implementing pre-shift briefings between supervisors and correctional officers for each shift. Currently only OCCC conducts such briefings. Other facilities can conduct such briefings only if they pay overtime to officers. These briefings are essential for effective communication with officers. To remedy this situation, the department has two alternatives: pay officers overtime for briefings; or negotiate a change in work schedules to allow for briefing times as part of the regular workday. The department has estimated that these briefings will result in a cost of about \$1.7 million. It has also informally discussed with the union the possibility of a change in work schedules. The union expressed a willingness to work out a change in schedules, because it recognizes the importance of briefings. Because the new Agreement, now pending implementation, includes a major change in the scheduling procedures, the

union and the department has chosen to wait until after the implementation of the new Agreement before attempting to affect another change in scheduling.

3. Moreover, each warden, deputy warden, and chief of security will be required to walk through the facility at least three times per week to get a pulse of what is occurring and to provide an opportunity for him or her to talk to line staff and inmates. At least one of these persons shall walk through each day.
 4. Each Watch Commander shall make a complete tour of every part of the facility at least once per work shift.
 5. Each warden, deputy warden, and chief of security will periodically work a variety of shifts and on weekends.
- E. Over the years, the Director has established, nurtured, and maintained contacts with corrections professionals across the nation. He has established relationships with the Director of the National Institute of Corrections (NIC); the Chief of the Prisons Division of the NIC; the Chief of the Training Academy Division of the NIC; the President of the American Correctional Association; the co-Executive Directors of the Association of State Correctional Administrators; and the Director of the Corrections Program Office of the Department of Justice. The Director will not hesitate to contact them for advise and assistance on any matter.

The Director is also aware that local resources are available at the University of Hawaii and Chaminade University, and that some of his own staff has developed a strong level of professional expertise in corrections. He will seek their input and counsel as well, and encourage his staff to do the same.

- F. The department's administration welcomes the interest of the Legislature on issues involving all aspects of corrections operations, and will respond to all questions/concerns raised by the Legislature. The Director invites the Legislature to visit its operations at any time.
- G. The department is working to improve its internal grievance process to better address concerns prior to involving the Attorney General. The department will be submitting a reorganization proposal that clarifies the roles and responsibilities for management and staff involved in the grievance process. Target date for submission of the department's reorganization proposal to the Department of Budget and Finance is September 1999.

In addition, the department will open discussions with the Attorney General to assess the feasibility of requesting a full-time deputy attorney general and support staff dedicated to managing and monitoring all inmate grievances and legal proceedings. Issues such as appropriate funding sources and organizational placements of these positions will need to be considered.

II. Personnel

- A. The department will take steps to make visible and substantial progress to resolve long-standing management problems. These actions will require planning and collaboration with other organizations so that the steps can be systemic and have long-term positive effects. The department will not make change simply for the sake of making change.
- B. Accountability System: As noted in our response to recommendation #1, the department is currently planning for the establishment of an accountability system, through which managers will be provided with clear performance expectations. Managers will be required to provide regular reports to the department's executive management team, which will enable the Director to monitor and measure performance. These reports will include oral presentations in which managers will be expected to explain and defend their reports.

The department will continue its commitment to holding managers and staff accountable for any misconduct. Personnel records confirm that the department has taken and will continue to take disciplinary action against staff, including managers, when just and proper cause is established.

The department is also restructuring its model for disciplinary action to allow managers to carry out such action in an orderly and timely fashion. We will be working with the United Public Workers and the Hawaii Government Employees' Association to accomplish this task. A target date of May 30, 1999 has been set.

- C. Training and Retention: PSD and the Department of Human Resources and Development (DHRD) have begun the process of identifying staff needs and instituting training and educational programs for Public Safety staff members. This process will include collaboration with staff and staff groups.

To enable more staff to take advantage of training opportunities, the department will immediately:

1. Conduct training, when feasible, at the correctional facilities rather than at off-site locations.
2. For selected courses, allow facilities to "lock-down" inmates to allow for maximum participation by adult corrections officers.
3. With the assistance of DHRD, conduct a needs assessment by June 30, 1999 to:
 - a) Identify staff training needs;
 - b) Seek reinstatement of the Management Development Leadership Academy. This successful program was terminated several years ago. Since then, state government has not had any program for development of managers. Additional funds will be required to establish this program; and
 - c) Implement a Career Development Program that will provide staff with incentives towards professional development, thereby encouraging the retention and promotion of qualified individuals.

4. In addition, the department will develop a more proactive approach in its training program, to address the perception that assignment to training is considered as punishment. To achieve this goal, the department will ensure that appropriate training is provided to all staff members on a regular, on-going basis before incidents occur. The department plans to meet this goal of having policies and procedures in place by September 30, 1999.

- D. Recruitment: The department, with the assistance of the DHRD, reconstructed its screening factors for the hiring of correctional officers. This resulted in a new entrance examination process that was implemented in 1996. Prior to that time, applicants for adult corrections officer positions were hired after passing a relatively simple written test rated at the 8th grade level.

Under the new process, candidates are required to pass a series of tests before they can qualify for an interview. These tests include a written civil service examination rated at high school equivalency, physical abilities test, and psychological inventory test. For those who pass this battery of tests, a background check, consisting of a criminal history check, a check on employment history, a door to door character check, a drug test, and a physical examination is then conducted.

- E. Staff Morale: The department will examine the feasibility of conducting a study, with the guidance of DHRD and possibly a consultant, to determine whether it has a problem with staff morale. If the department determines that there is in fact a problem, it will proceed to address the appropriate areas.

Additionally, the department is taking the following steps towards improving staff morale, with respect to salary levels and opportunities and processes for promotion.

1. Salary schedule: The Department acknowledges that the perceived low salary levels has a negative effect on correction officers' morale. For example, recruit police officers currently make more than correction officer sergeants. This situation is compounded by the fact that there have been no collective bargaining increases for corrections officers since 1995.
2. Promotion process: The department will work with DHRD to reevaluate its selection criteria to include any available record of disciplinary action as a weighted factor when awarding promotions. The department expects to have revised selection criteria by April 30, 1999.

The department notes the following, however, regarding the use of disciplinary action as a part of the selection criteria when awarding promotions:

- a) Discipline should not be an automatic disqualifies. To ensure that each candidate has a fair and equal opportunity for advancement, the department

must assess the relatedness of the disciplinary action and subsequent effect of rehabilitation to the candidate's present ability to perform at the higher level.

- b) Under collective bargaining agreements, staff have the right to have adverse information removed from their files after two years. In these cases, the disciplinary action cannot be used in any way against the staff member.

In addition, the department has already collaborated with DHRD to improve the promotion process for adult corrections officers. This new process, implemented in 1998, involves an intra-departmental competitive examination administered by DHRD, followed by selection interviews conducted by PSD. Prior to this new process selection interviews were conducted only by individual facilities and were the only factor in determining promotions.

- F. Policy on Nepotism: The department will work with the DHRD to adopt a policy on nepotism. Because there is no state-wide policy, the department must develop an internal one. We are in the process of examining other departments' internal policies as models for our own. The department expects to have its policy completed and implemented by May 30, 1999.
- G. Dichotomy Between Correctional Officers and Others: The department acknowledges that a dichotomy exists between correctional officers and other groups of staff in the various correctional facilities. To address this problem, the department will:
 1. Institute a Unit Team Management Program to improve communications among staff from various areas and between staff and inmates. This concept involves teams of staff members across disciplines such as social workers, corrections officers, and mental health professionals working together on individual inmates. The department's training administrator has made contact with the National Institute of Corrections to provide technical assistance in implementing this concept, starting with the Halawa Correctional Facility. Training in Unit Management will begin no later than October 1, 1999.
 2. The department will ask DHRD to examine the feasibility of broadbanding correctional positions, to foster a team building climate, shared responsibilities, and cross-training opportunities within the correctional facilities (e.g., allow adult corrections officers to provide some counseling to inmates; allow social workers and others to perform minor security functions).
 3. Hold managers accountable for team building and collaborative approaches to care and custody of inmates.
- H. Staff turnover: In 1998, the Department adopted a policy that requires a three-year waiting period after initial employment before a staff member can request a voluntary transfer from one facility to another, except where a staff member can show a bona fide hardship. This policy was implemented due to previous abuse of the voluntary transfer policy.

In the past, adult corrections officers would accept positions in certain districts with less employment competition, only as a means of entering the civil service system. After completing their probationary period, these individuals would then transfer to other facilities in the district of their true preference.

This abuse of policy resulted in a constant turnover at facilities in certain counties, such as the Maui Community Correctional Center (MCCC) and the Kauai Community Correctional Center (KCCC), which thereby affected the stability of the operations at these facilities. The restriction on voluntary transfers was promulgated in response to these abuses.

The Department, in consultation with the United Public Workers, will review the effectiveness of this policy. Discussions with UPW will begin no later than March 30, 1999.

III. Inmate Abuse and Neglect

- A. Mental Health Services: In recent years the department has witnessed an increase in the number of inmates who exhibit symptoms of mental illness. Some of this increase is a result of an increase in the total inmate population. However, the department suspects that the increase can also be attributed to other factors. Unfortunately, the level of staffing of mental health professionals has not kept pace with the increase in population or the need for such specialized services. The director has therefore instructed the Health Care Division to fill its vacancies in this area. Moreover, the Health Care Division has suffered from a lack of leadership in the past year. A Physician, who is a dedicated professional, has been asked to serve as Physician for several correctional facilities as well as Health Care Administrator. This constitutes a virtually impossible task. Therefore, the department has recruited for a Health Care Administrator, and expects to fill that position by May 1, 1999. One of the new Administrator's top priorities will be to develop a plan to provide appropriate services for inmates suffering from mental illness.
- B. Mental Health Training: The Director has instructed corrections health care administrators to re-implement mental health training programs for corrections officers by April 30, 1999. It has been two years since this type of training has been provided.
- C. Substance Abuse: The presence of illicit drugs is a major concern in any organization, especially correctional facilities. Therefore, the department has addressed this problem in several ways:
 1. Drug Testing of Inmates: The department conducts substance abuse testing of inmates on the basis of random selection, suspicion, and participation in treatment programs. If inmates test positive, they can be sanctioned and will be referred to treatment programs. The department is assessing the cost-benefits of conducting drug testing of all inmates upon admission.
 2. Drug Testing of Staff: The department now conducts drug testing of all applicants for employment in positions that involve inmate contact or powers of arrest. The

department also conducts drug testing for a small number of staff who hold commercial driver's licenses, pursuant to Federal regulations.

Regarding other staff, the department is awaiting the final language of the recently negotiated Bargaining Unit 10 Agreement. This new agreement includes a provision that will allow for the substance abuse testing of Adult Correctional Officers. The department is currently developing a plan and the Director will implement this new program, as soon he receives authorization to do so from the Office of Collective Bargaining.

3. Interdiction: Drugs enter correctional facilities in many ways. They can be brought in by staff or visitors; they can arrive through the mail; they can be hidden in supplies, equipment, and vehicles that enter the facility for official purposes; they can be thrown over walls or fences; and they can be passed surreptitiously to inmates who have outside privileges.

Drug interdiction requires strict adherence to policies and procedures and constant vigilance by all correctional staff, especially the adult corrections officers. The department has the appropriate policies in place that require adult corrections officers to search all visitors, vehicles, supplies, and equipment that enter the facility. screen and search all inmate mail; regularly inspect recreation and other outside areas; and strip search all inmates who re-enter the facility.

To ensure that these and other security controls are carried out, the department has implemented a system of regular audits of operational and security procedures. All facilities will be audited on an annual and on an as-need basis. The first audit was conducted in February, 1999, at the Kulani Correctional Facility. The Halawa Correctional Facility will be audited beginning the end of March.

4. Searches: Each facility conducts regular searches of areas in which drugs may be found. In addition, each facility conducts shakedowns whenever there is information that drugs may be present.

In 1998, the Department established a canine unit, consisting of three trained dogs, under the Sheriff's Division. In January 1999, a fourth dog was added to the unit. This unit will enable the Department to conduct searches on a more effective and efficient manner. Every facility will be searched by the canine unit on a regular basis. In addition each Warden can request the use of the unit, or the Director can order a search of a facility using the unit.

The Wardens and the Sheriff Division will work out a schedule for searches by March 15, 1999.

5. Criminal and Disciplinary Action: Any person who brings drugs into a correctional facility has committed a felony. The department has and will continue to prosecute all

persons who are suspected of bringing drugs into any correctional facility. In addition, the department has and will continue to take administrative action against any staff member who brings drugs into any correctional facility.

Since 1992, 30 staff have been convicted for drug use. Of this amount, 28 have been dismissed and 2 have resigned from employment. In addition, 7 staff have been terminated and 2 have resigned without known convictions for drug use.

- D. Video Surveillance: There is no doubt that strategically placed cameras will enhance our ability to obtain objective information and facilitate investigations. The department is aware of the value of video surveillance and has taken the first step in this direction by installing cameras in modules at Oahu Community Correctional Center (OCCC). Complete installation of video surveillance at OCCC is targeted for completion in December, 1999. The department is also estimating the cost and feasibility of installing cameras in selected locations of the Halawa Correctional Facility. If funds are available in FY 1999, the department will proceed with the installation by July 1, 1999.

In addition to fixed cameras, the Department instituted a policy in 1998 requiring that all planned cell extractions, planned use of force incidents, and other significant events be video taped. Each facility was required to purchase video-cameras for this purpose. In early December, the Director instructed the Wardens, both at a meeting and in writing, that this policy will be strictly enforced.

IV. Grievance Process

- A. The Director is committed to the establishment of an Internal Affairs Office that is professional, competent, and independent. In the past two years, there has been an almost complete turnover of staff in this office. An experienced investigator has been installed as the administrator of the office, and a new team of investigators has been hired. Only one of the current staff members was with the office prior to 1997.

In addition, the Director has taken the following steps since he took office in December:

1. By directive, required that the Office reports to the Director and no one else. Previously, the Office reported to the Director through an intermediary.
2. Started the process to formally and permanently reorganize and expand the Office. Under this plan, which must eventually be approved by the Governor, the Office will report directly to the Director and will consist of three Sections - Criminal Investigations, Administrative Investigations, and Technical Support.
3. As part of the formal reorganization, the department will seek to add five additional positions to the Office. The office now consists of the administrator, five investigators, and one clerk. The new office will consist of the administrator, eight investigators, one technical specialist, and two clerical support staff. In comparison, the Honolulu Police Department, which has a comparable number of staff, has fourteen Investigators.

- B. The department believes that an effective management information system will be developed through the successful implementation of several management improvement initiatives. These include the management accountability system, revamped grievance system, and facility inspections program. Information gathered through these programs will provide as "early warning signals" that should enable the department to address present a danger to staff or inmates. The department expects to have its MIS system in place by December 31, 1999.

CONCLUSION

The Department of Public Safety has the capability of achieving the highest level of quality in the management of its operations. Although it recognizes its weaknesses, the department has made, and continues to make, substantial improvements as evinced by its recent release from the 1985 Spear v. Cayetano Consent Decree. The Women's Community Correctional Center was released from the consent decree in June 1998 and the Oahu Community Correctional Center was just released in March 1999.

As the Director has mentioned on several occasions, problems within the correctional facilities cannot be instantly repaired with the wave of a wand. In fact, it will take many months of hard work and the full commitment of the director's management staff to achieve the objectives of the action plan delineated in this report. The Director has every confidence that the vision he has set forth for the department will be realized.

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE**

Gov. Msg. No. 359, informing the Senate that on May 13, 1999, he signed the following bills into law:

House Bill No. 1 as Act 56, entitled: "RELATING TO CHILD PASSENGER SAFETY";

Senate Bill No. 737 as Act 57, entitled: "RELATING TO NOISE"; and

Senate Bill No. 738 as Act 58, entitled: "RELATING TO NOISE POLLUTION."

Gov. Msg. No. 360, dated May 25, 1999, transmitting his statement of objections to House Bill No. 1660 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1660

Honorable Members
Twentieth 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. 1660, entitled 'A Bill for an Act Relating to Higher Education.'

The purpose of House Bill No. 1660 is to authorize the University of Hawaii to carry over for one fiscal year any unexpended and unencumbered general fund appropriation. In addition, the bill exempts the University of Hawaii from the allotment controls of chapter 37, Hawaii Revised Statutes.

The intent of this bill, to give the University of Hawaii more budgetary flexibility, has some merit in light of the autonomy granted to the University. However, if general revenues are lower than expected and the University of Hawaii is free from budgetary adjustments through allotment controls, every other state department and program will have to bear a greater burden of adjustments. This is not fair or reasonable.

For the foregoing reasons, I am returning House Bill No. 1660 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. 1660, entitled 'A Bill for an Act Relating to Higher Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1660 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. 1660 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 361, dated May 25, 1999, transmitting his statement of objections to Senate Bill Nos. 223, 450 and 921 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 223

Honorable Members
Twentieth 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. 223, entitled 'A Bill for an Act Relating to a Canine Corps in the Department of Public Safety.'

The purpose of the bill is to establish a canine corps to reduce, if not eliminate, illegal drugs in state correctional facilities. This bill requires the Department of Public Safety to establish a canine corps. Under the Director of Public Safety's existing general authority set forth in section 352C-2, Hawaii Revised Statutes, the department has already established canine units with granted funds. Since this bill provides no additional funding for the maintenance or expansion of the canine corps, this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 223 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. 223, entitled 'A Bill for an Act Relating to a Canine Corps in the Department of Public Safety,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 223 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. 223 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 450

Honorable Members
Twentieth 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. 450, entitled 'A Bill for an Act Relating to State Government.'

The purpose of Senate Bill No. 450 is to revise provisions of Act 230, Session Laws of Hawaii 1998, to (1) convert the ad hoc committee, established last year for the sole purpose of developing a managed process for the Legislature's consideration and adoption, into a permanent state committee; (2) expand the responsibilities of the committee to include operationalizing the managed process statewide; and (3) require all contracts entered into on or after July 20, 1998, to a one-time review against the requirements of the yet-to-be-developed managed process.

I understand that the managed process committee of state and county officials, private and public sector labor leaders, and profit and nonprofit business persons that we established pursuant to Act 230 late last year, is well on its way to completing the assignment it undertook pursuant to Act 230. It appreciates the need for the managed process to include cost data and has taken steps to ensure that their proposal addresses this need. The committee also recognizes that once a process is established, policy and procedure manuals, guidelines, and training must be available to support its continued and successful implementation. Clearly, the committee has already taken the initiative and addressed much of what this bill proposes to add to Act 230. Many of this bill's provisions are unnecessary.

Moreover, the revisions this bill makes convert what was originally a one-time development effort into a continuing operational program that is to be managed by a board composed of volunteers, and applied both prospectively and retrospectively.

For the foregoing reasons, I am returning Senate Bill No. 450 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. 450, entitled 'A Bill for an Act Relating to State Government,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 450 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. 450 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 921

Honorable Members
Twentieth 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. 921, entitled 'A Bill for an Act Relating to District Court.'

The purpose of Senate Bill No. 921 is to amend section 291D-10, Hawaii Revised Statutes, to create a procedure for the issuance of penal summons and bench warrants when any person fails to pay a monetary assessment for a traffic violation. Senate Bill No. 921, however, imposes a process prior to referral to the Department of the Attorney General for collection that is unnecessary, because the monetary assessments have already been reduced to judgment. Furthermore, this bill will disrupt the collection procedures already established between the Judiciary and the Department of the Attorney General, which have been very successful, and will require additional resources to implement, because additional hearings will be required. Without this bill, post-judgment remedies can be utilized and recovery of the monetary assessments can occur earlier and at less cost.

For the foregoing reasons, I am returning Senate Bill No. 921 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. 921, entitled 'A Bill for an Act Relating to District Court,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 921 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. 921 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 362, informing the Senate that on May 26, 1999, he signed the following bills into law:

House Bill No. 1037 as Act 59, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM"; and

House Bill No. 1038 as Act 60, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 363, informing the Senate that on May 26, 1999, he signed into law House Bill No. 988 as Act 61, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS."

Gov. Msg. No. 364, informing the Senate that on May 27, 1999, he signed into law Senate Bill No. 1501 as Act 62, entitled: "RELATING TO EDUCATION."

Gov. Msg. No. 365, informing the Senate that on May 28, 1999, he signed into law House Bill No. 154 as Act 63, entitled: "RELATING TO PUBLIC TELEVISION."

Gov. Msg. No. 366, dated June 1, 1999, transmitting his statement of objections to Senate Bill Nos. 21, 46, 102, 560, 777 and 1499 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 21

Honorable Members
Twentieth 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. 21, entitled 'A Bill for an Act Relating to Athletic Contest Officials.'

The purpose of Senate Bill No. 21 is to expand the scope of assault in the second degree to include within the definition of 'educational worker' any person who is employed by the department of education on a contractual basis, not only for carrying out an educational function, but for a school program, activity, or function that is established, sanctioned, or approved by the Department of Education.

As drafted, the bill will expand assault in the second degree to include within the definition of 'educational worker' a very large number of individuals in many capacities, including individuals not employed as athletic contest officials. Although this bill has merit, the subject of this bill as expressed in its title is 'athletic contest officials.' Section 14 of Article III of the State Constitution requires that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' Since the amendment made by this bill will affect many individuals who are not athletic contest officials, this bill is in violation of Section 14 of Article III of the State Constitution.

For the foregoing reasons, I am returning Senate Bill No. 21 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. 21, entitled 'A Bill for an Act Relating to Athletic Contest Officials,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 21 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. 21 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 46

Honorable Members
Twentieth 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. 46, entitled 'A Bill for an Act Relating to School-Based Budgeting.'

The purpose of Senate Bill No. 46 is to require the Department of Education to provide the schools and the legislature, by the opening day of each regular legislative session, reports on its proposed school-by-school budget allocation and give each school maximum flexibility in the expenditure of its allocation.

While I support the intent of this bill, the measure is unnecessary and overburdensome and does not carry out the intent of the bill. School-by-school allocations for the over 250 schools statewide are an incredible burden for which the schools and the department do not have the capacity nor resources to accomplish. Furthermore, there is no provision for increasing the flexibility in expenditures. The Department of Education has worked hard to preserve the equitable allocation among all schools while balancing the individual needs of the schools.

For the foregoing reasons, I am returning Senate Bill No. 46 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, Senate Bill No. 46, entitled 'A Bill for an Act Relating to School-Based Budgeting,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 46 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. 46 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 102

Honorable Members
Twentieth 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. 102, entitled 'A Bill for an Act Relating to Health.'

The purposes of Senate Bill No. 102 are to establish a statewide rural health plan for the island of Hawaii, to create a rural health fund in an effort to qualify the State of Hawaii for federal Medicare rural hospital flexibility grants, and to create a position in each county for a rural transportation coordinator.

While I support the intent of this bill, this measure is unnecessary because the Department of Health is already establishing a process that accomplishes the goals of this bill.

For the foregoing reason, I am returning Senate Bill No. 102 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, Senate Bill No. 102, entitled 'A Bill for an Act Relating to Health,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 102 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. 102 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 560

Honorable Members
Twentieth 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. 560, entitled 'A Bill for an Act Relating to Special Management Areas.'

The purpose of this bill is to halt the long-term degradation of natural resources by providing guidance in determining what constitutes substantial adverse environmental or ecological effect in terms of the coastal zone management law. Before approving development within a special management area (SMA), county planning authorities must make a finding that

the development will not have any substantial adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.

This bill, however, does not achieve its purpose because it establishes unnecessary standards for SMA permit reviews. Currently, all major SMA permits involve extensive agency reviews for compliance with applicable requirements and also must go through public hearings before county planning commissions; provide notification to surrounding property owners of the proposed action and public hearing dates; and go through a contested case hearing. The current SMA permit review process is adequate and does not need additional standards.

In addition, this bill would impose potentially high costs on applicants for SMA permits that are unnecessary in the vast majority of instances. These costs would involve additional technical studies such as air quality, noise, and water pollution baseline studies. The determination as to whether these additional studies are necessary should be done on a case-by-case basis.

This bill will overly complicate the SMA permit review process and increase costs for county planning departments by requiring additional staff.

For the foregoing reasons, I am returning Senate Bill No. 560 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. 560, entitled 'A Bill for an Act Relating to Special Management Areas,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 560 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. 560 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 777

Honorable Members
Twentieth 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. 777, entitled 'A Bill for an Act Relating to Foreclosures.'

The purpose of Senate Bill No. 777 is to clarify and streamline the alternate power of sale foreclosure process.

While I support the intent of the bill, it does not provide adequate protection for the consumer from losing his or her home. The shortened timelines do not provide the consumer sufficient time to negotiate a possible payment plan or correct the default. This measure unfairly favors lenders over consumers rather than provide a balanced approach.

For the foregoing reasons, I am returning Senate Bill No. 777 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. 777, entitled 'A Bill for an Act Relating to Foreclosures,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 777 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. 777 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 24, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1499

Honorable Members
Twentieth 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. 1499, entitled 'A Bill for an Act Relating to the Randolph-Sheppard Revolving Account.'

The purposes of Senate Bill No. 1499 are to require the Department of Human Services (DHS) to expend \$30,000 from the state Randolph-Sheppard revolving account (the 'special fund') each year if an authorization or allocation is received; to require DHS to deposit this money into a separate account for the State Committee of Blind Vendors (the 'Committee'); to authorize the Committee to spend \$30,000 each year from the special fund without necessarily receiving an appropriation or allocation from the legislature; and to authorize the Committee to hire independent legal counsel.

The bill contains several serious problems. First, sections 2 and 3 of the bill amend chapter 347 and section 28-8.3, Hawaii Revised Statutes, in order to authorize the Committee to hire attorneys. Pursuant to Section 14 of Article III of the State Constitution, 'Each law shall embrace but one subject, which shall be expressed in its title.' Even though the constitutional requirement is to be interpreted liberally, there are still limits. In this case, the title of the bill is 'Relating to the Randolph-Sheppard Revolving Account.' The Committee's authority to hire attorneys is independent of any use of the Randolph-Sheppard Revolving Account. One might argue that the bill's provisions should be interpreted as requiring that counsel be paid with only special fund moneys in order to remain within the scope of the bill's title. But the title of the bill does not appear in the statutory provisions that will be codified in the Hawaii Revised Statutes. The necessity for this interpretation in order to avoid an unconstitutional result, therefore, would not be apparent to any reader of the statute. Accordingly, sections 2 and 3 of the bill appear to violate Section 14 of Article III of the State Constitution.

Second, although DHS must receive an appropriation by the Legislature before transferring moneys from the special fund to a separate account of the Committee, section 4 of the bill apparently authorizes the Committee to spend \$30,000 from the special fund each year without any appropriation. By authorizing the Committee to make this expenditure without an appropriation, this bill may violate Section 5 of Article VII of the State Constitution, which prohibits the expenditure of any public moneys except pursuant to appropriations made by law. The federal Randolph-Sheppard Act requires that the Committee be a state entity, and the Committee can trace its creation to state rules. The moneys are obviously state moneys. Accordingly, the proposed amendment allowing the Committee to simply spend \$30,000 each year from the special fund without a biennial appropriation authorizing the Committee to spend the money violates the Hawaii State Constitution.

Finally, the bill authorizes the Committee to hire independent counsel whenever the Committee finds the representation from the Department of the Attorney General to be inadequate. As a general matter, the hiring of private counsel can be an expensive and often unnecessary expenditure of public moneys. The Department of the Attorney General is uniquely situated to understand those special defenses and claims that can be asserted by state entities. There are relatively few private attorneys who fully understand issues relating to the Eleventh Amendment, sovereign immunity, the Sunshine Law, the Uniform Information Practices Act (Modified), and government procurement practices. The use of deputy attorneys general also reduces state costs, develops in-house expertise, and ensures continuity in legal advice and consistency in legal interpretations among all state agencies. Allowing any state agency to hire separate counsel simply because the agency finds the representation to be 'inadequate' merely allows the agency to forum shop for a preferred, but not necessarily correct, legal opinion and takes away the Department of the Attorney General's authority to determine the course of litigation.

For the foregoing reasons, I am returning Senate Bill No. 1499 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. 1499, entitled 'A Bill for an Act Relating to the Randolph-Sheppard Revolving Account,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1499 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. 1499 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 24th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 367, dated June 1, 1999, transmitting his statement of objections to House Bill Nos. 827 and 1711 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 28, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 827

Honorable Members
Twentieth 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. 827, entitled 'A Bill for an Act Relating to Public Lands.'

The purpose of House Bill No. 827 is to stimulate tourism in Hilo, Hawaii, by authorizing the Department of Land and Natural Resources to issue new, up to fifty-year leases to existing lessees in the Banyan Drive resort area. The bill also provides that if another bidder is interested in the property the successful bidder must pay the existing lessee the replacement value of the improvements.

While I support the intent of the bill and am sympathetic with the concerns of the present lessees, I cannot support a measure that does not uphold equal treatment and good faith competition. This measure attempts to address the concerns of the lessees by treating the lessees differently than all other

lessees of state lands, and virtually shutting out competition by requiring a competitor to pay the replacement value of the improvements rather than the residual value.

For the foregoing reasons, I am returning House Bill No. 827 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. 827, entitled 'A Bill for an Act Relating to Public Lands,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 827 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. 827 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 28th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 28, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1711

Honorable Members
Twentieth 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. 1711, entitled 'A Bill for an Act Relating to Kaneohe Bay.'

The purpose of House Bill No. 1711 is to protect residential noncommercial piers at Kaneohe Bay and Kahaluu from fully complying with chapter 183C, Hawaii Revised Statutes, regardless of when the pier was built and to establish a lease rent moratorium on those piers until the Department of Land and Natural Resources (DLNR) adopts a private residential noncommercial pier lease rent formula.

Section 14 of Article III of the State Constitution requires that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The subject of this bill, as expressed in its title, is 'Kaneohe Bay.' However, this bill exempts all residential noncommercial piers, and all docks, public or private, commercial or non-commercial, regardless of location,

from prior legislative and gubernatorial approval under section 171-53, Hawaii Revised Statutes. Because section 3 of the bill exempts all residential noncommercial piers and all docks from the requirements for a lease of submerged lands under section 171-53, Hawaii Revised Statutes, not just those located in Kaneohe Bay, this bill violates Section 14 of Article III of the State Constitution.

Additionally, this bill establishes a lease moratorium on submerged lands and private piers until DLNR adopts a residential lease rent formula. This moratorium is unnecessary. DLNR by statute is required to charge fair market rent and should not be additionally required to adopt a special 'residential lease rent formula' prior to collecting any fair market rent owed. The moratorium to stay collection of lease rents does not serve any public purpose and is not in the public interest. The bill also provides for a credit for owners of legal piers who have paid rent in the past for the use of submerged lands. Crediting moneys paid to DLNR for the use of submerged lands is a windfall to private parties and serves no public purpose.

The bill would restrict access to piers in Kaneohe Bay where no restriction currently exists. This restriction is not in the public interest. The bill appears to favor owners of illegal piers by allowing those piers to be considered non-conforming uses in the conservation district and by forgiving any past rent that may be owed for the use of submerged lands. The bill would also prohibit the assessment of any fines against owners of illegal piers. It is inequitable for the owners of piers in Kaneohe Bay who have complied with the laws and paid for the use of submerged lands to be placed at a disadvantage over those that have violated the law.

For the foregoing reasons, I am returning House Bill No. 1711 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. 1711, entitled 'A Bill for an Act Relating to Kaneohe Bay,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1711 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. 1711 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 28th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 368, dated June 1, 1999, transmitting his statement of objections to House Bill Nos. 221, 260, 310, 806 and 990 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 221

Honorable Members
Twentieth 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. 221, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority.'

This bill requires the Hawaii Tourism Authority (HTA) to submit a long-term policy plan to the Legislature by January 1, 2000, and specifies that the strategic tourism marketing plan shall be updated every two years and implement the recommendations of the long-term policy plan. The bill also allows the HTA board to withhold from public inspection and copying any consultant's report and internal analysis related to the formulation of the strategic tourism marketing plan if, in the opinion of at least two-thirds of the HTA board members, public disclosure of the documents would frustrate the ability of HTA to implement its strategic tourism marketing plan and maximize the economic benefit of its expenditures, contracts, and agreements. The bill allows the HTA board to discuss such documents in executive session.

The provisions allowing HTA to withhold consultant reports and internal analysis from public inspection and to go into executive session to discuss such documents were added to the bill on April 29, 1999, by the Committee on Conference. Thus, neither the Office of Information Practices (OIP), which is the agency charged with administering the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes, nor members of the general public had an opportunity to testify on this bill, which affects both the Uniform Information Practices Act (Modified) and the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes.

Both chapters 92 and 92F promote the policies of open government and public participation in government. As such, exemptions from the requirements of these laws must be carefully tailored to balance the interests of the public and the legitimate concerns of governmental agencies. The exemptions to these laws for HTA made by this bill were not subjected to public comment and scrutiny, but were included in this bill after the opportunity for testimony had passed. A more thorough exposition of the competing interests at issue here is necessary before it is clear that these exemptions are warranted.

For the foregoing reasons, I am returning House Bill No. 221 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. 221, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 221 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. 221 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 260

Honorable Members
Twentieth 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. 260, entitled 'A Bill for an Act Relating to Early Childhood.'

The purpose of House Bill No. 260 is to provide a means for early childhood screening when a child reaches the age of three.

I am returning this measure because while I support the intent of the bill, the measure is redundant and unnecessary. The Department of Education already has in place a 'Child Find' effort to fulfill the federal mandate to screen for children ages three to five who have disabilities. Furthermore, early childhood experts caution against formal screening that may inadvertently label a child as developmentally delayed or disabled, when, in fact, such is not the case.

For the foregoing reasons, I am returning House Bill No. 260 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. 260, entitled 'A Bill for an Act Relating to Early Childhood,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 260 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. 260 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 310

Honorable Members
Twentieth 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. 310, entitled 'A Bill for an Act Relating to Planning and Budgeting for New Schools.'

The purpose of House Bill No. 310 is to require the Director of Finance, in consultation with the Superintendent of Education, to include funding for athletics when budgeting for new schools. In addition, this bill requires the Department of Education to study the setting of coaches' salaries.

While this bill specifically provides that budgeting for new schools include athletic costs, this action undermines the authority of the Board of Education in setting the educational goals of the Department of Education by singling out athletics as a curriculum priority. Further, since the State and the Department of Education must accomplish their budgeted objectives within the limitations of available revenues, the enactment of this bill would reduce the options available to them to address changing fiscal conditions.

For the foregoing reasons, I am returning House Bill No. 310 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. 310, entitled 'A Bill for an Act Relating to Planning and Budgeting for New Schools,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 310 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. 310 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 27, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 806

Honorable Members
Twentieth 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. 806, entitled 'A Bill for an Act Relating to Land Exchange.'

The purpose of House Bill No. 806 is to provide legislative pre-approval of a proposed land exchange of public lands in North Kona for private lands, yet to be acquired, along the Kona Coast. The purpose of the exchange is to develop a new motor speedway.

This bill sets a bad precedent of approving a 'land exchange' where: (1) the proposed exchange party has not purchased nor even identified the lands to be exchanged, (2) the identities of the private real parties in interest are not even known, (3) no one knows the value of the lands to be exchanged, and (4) the Board of Land and Natural Resources has not yet reviewed and approved the proposed exchange. Normally, a land exchange is subject to legislative disapproval when all of this information has been disclosed and the transaction has been approved by the Board of Land and Natural Resources.

For the foregoing reason, I am returning House Bill No. 806 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. 806, entitled 'A Bill for an Act Relating to Land Exchange,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 806 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. 806 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 27th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

May 28, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 990

Honorable Members
Twentieth 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. 990, entitled 'A Bill for an Act Making an Emergency Appropriation for Legal Services for Department of Hawaiian Home Lands Individual Claims Review.'

The purpose of this bill is to appropriate additional general fund moneys on an emergency basis for fiscal year 1998-1999 to allow the Department of the Attorney General to continue its legal representation of the Department of Hawaiian Home Lands under chapter 674, Hawaii Revised Statutes.

Unfortunately, this bill will take effect on July 1, 1999. The authorization to expend funds appropriated for fiscal year 1998-1999 will expire at the end of that fiscal period on June 30, 1999. Because the authorization to expend the funds will expire on the day before this bill becomes effective, this bill will not accomplish its purpose and need not become law.

For the foregoing reason, I am returning House Bill No. 990 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. 990, entitled 'A Bill for an Act Making an Emergency Appropriation for Legal Services for Department of Hawaiian Home Lands Individual Claims Review,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 990 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. 990 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 28th day of May, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 369, informing the Senate that on June 7, 1999, he signed into law House Bill No. 72 as Act 64, entitled: "RELATING TO ELECTIONS."

Gov. Msg. No. 370, dated June 8, 1999, transmitting his statement of objections to House Bill Nos. 98 and 661 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 98

Honorable Members
Twentieth 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. 98, entitled 'A Bill for an Act Relating to Pensioners' Bonus.'

The purpose of House Bill No. 98 is to extend the sunset date of the pensioners' retirement bonus adopted in 1990 for another two years, until June 30, 2001. Retirees who have been retired for a minimum of five years and have at least ten years of credited service are eligible for the pensioners' bonus. This bonus provides an incremental adjustment every five years with a progressively larger bonus for those retired the longest. The bonus is in addition to the 2.5 percent annual post retirement increase that is automatically provided every July 1.

The pensioners' bonuses are funded on a pay-as-you-go basis with state and county appropriations to the Employees' Retirement System's (ERS) pension accumulation fund. The ERS' actuary reports that extending the pensioners' bonus as provided in this bill would increase the ERS' unfunded liability by \$37,500,000 and annual State and county governments' appropriations to the ERS by \$3,700,000. Of the \$3,700,000, the State's share would be \$2,200,000. I believe that it is not appropriate, when fiscal and budgetary restraints need to be exercised, to permit enhancement of retirement benefits in this manner. This bill permanently raises employer pension costs and increases the retirement benefits for those retirees with ten years of service and who have been retired for at least five years over and above the existing statutory cost of living pension increases. Furthermore, this additional benefit is inconsistent with the Legislature's action, in Senate Bill No. 1518, to prohibit any pay increase for current employees during the fiscal biennium ending June 30, 2001.

For the foregoing reasons, I am returning House Bill No. 98 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. 98, entitled 'A Bill for an Act Relating to Pensioners' Bonus,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 98 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. 98 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 661

Honorable Members
Twentieth 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. 661, entitled 'A Bill for an Act Relating to Enhanced Wireless Emergency 911 Service.'

The purpose of House Bill No. 661 is to encourage enhanced wireless emergency 911 service as required by the Federal Communications Commission ('FCC'). Enhanced wireless emergency 911 service would provide automatic caller number identification and caller location to the public safety agency that receives 911 calls from wireless telephones and dispatches safety, health, or fire responders. This bill would subsidize the development and implementation of the enhanced wireless 911 service through a monthly surcharge of 30 to 50 cents imposed upon all cellular telephone users. Providers and resellers of cellular telephone services would bill for, collect, and deposit the surcharge into the wireless enhanced 911 fund. The fund would be administered by the Wireless Enhanced 911 Board ('Board'), which would be administratively attached to the Department of Health. The Board would set the amount of the monthly surcharge. Providers and public safety agencies would apply to the Board to recover the costs of development and implementation of wireless enhanced 911 services from the fund.

The Department of Health does not have sufficient information and staff expertise to proceed with administering this project at this time. At the present time, the costs to establish and operate the system proposed by this bill are uncertain and the surcharges collected may not be sufficient to cover these system costs. Finally, although it requires a cost

recovery system for enhanced wireless 911 service, the FCC has set no deadline for the establishment of such a system. Accordingly, this bill is premature at this time.

For the foregoing reasons, I am returning House Bill No. 661 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. 661, entitled 'A Bill for an Act Relating to Enhanced Wireless Emergency 911 Service,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 661 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. 661 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 371, dated June 8, 1999, transmitting his statement of objections to Senate Bill Nos. 570, 953, 1032 and 1519 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 570

Honorable Members
Twentieth 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. 570, entitled 'A Bill for an Act Relating to the Waianae Coast Community Benchmarking Pilot Project and Appropriating Funds to Support the Project.'

The purposes of Senate Bill No. 570 are to extend the Waianae Coast Community Benchmarking Pilot Project from June 30, 2000, to June 30, 2003, and to appropriate \$2 for fiscal year 1999-2000 to support the work of the project.

This community benchmarking project, intended to improve the quality of life on the Waianae coast, involves setting community goals and establishing indicators or benchmarks to

show movement toward those goals. This project was started several years ago by private agencies and much of its goal setting and visioning have already been accomplished. In 1997, proponents sought funding to implement some of its subprojects; however, no funding was provided. Instead, the Legislature acknowledged their efforts by formally establishing the Waianae Coast Benchmarking Pilot Project.

This year, proponents once again sought funding for six subprojects, including a culture and arts program, a communications infrastructure project, a health academy, managed care for the elderly, a pre-school program, and an ethno-botanical Hawaiian garden. The project's request was for \$350,000 in general funds, \$50,000 for each of six subprojects and an additional \$50,000 as a grant to the Hawaii Community Services Council for overall technical support services to the project. However, this bill will appropriate only \$2 to the project.

This bill is unnecessary, especially with the insignificant appropriation. Even without this bill, the project has one more year before its automatic repeal date of June 30, 2000.

For the foregoing reasons, I am returning Senate Bill No. 570 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. 570, entitled 'A Bill for an Act Relating to the Waianae Coast Community Benchmarking Pilot Project and Appropriating Funds to Support the Project,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 570 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. 570 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 953

Honorable Members
Twentieth 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. 953, entitled 'A Bill for an Act Relating to Natural and Cultural Resources.'

The purposes of Senate Bill No. 953 are to (1) establish a stewardship and partnering program to protect and enhance natural and cultural resources, (2) exempt a new environmental special fund for the program from the five percent central services fee and pro rata administrative expenses, and to preserve those exemptions after certain session law repeal dates, and (3) change the Environmental Council from fifteen to sixteen members, require that certain people be appointed to the council (the chair of the Board of Land and Natural Resources, the Director of State Planning, a landowner, and a native Hawaiian), and increase the council's duties.

The stewardship and partnering program is to be headed by an administrator with broad powers who will be appointed by the Environmental Council, which is administratively attached to the Department of Health, and the program enjoys many special provisions under the bill. Among other things, the bill authorizes the administrator to acquire real property, contract for grants and accept gifts, award grants and loans, 'leverage' state resources with private funding and in-kind matches, and facilitate land acquisition for various natural and cultural resource purposes, and authorizes the program to acquire real property for temporary purposes with the consent of the council.

The bill's provisions are too broad. For example, the bill directs the administrator to create partnerships, support innovative approaches to integrate human activities and natural and cultural resources, and enhance and develop locally owned businesses.

The bill duplicates functions of the Department of Land and Natural Resources (DLNR), such as preserve coastlines and forests, and restore wildlife habitats. Under section 171-3, Hawaii Revised Statutes (HRS), DLNR already has authority to manage, administer, and exercise control over public lands, water resources, ocean waters, navigable streams, and coastal areas. Under section 171-3, the DLNR also manages and administers the state parks, historical sites, forests, forest reserves, aquatic life and aquaculture programs, aquatic life sanctuaries, public fishing areas, boating, ocean recreation, and coastal programs, wildlife, wildlife sanctuaries, game management areas, public hunting areas, and natural area reserves. The bill also appears to overlap with some of the powers and duties of the Board of Land and Natural Resources under sections 171-6 and 171-7, HRS, such as establishing restrictions, requirements, and conditions on certain land dispositions, and conducting sales pertaining to the disposition of public lands and other property authorized by the board. DLNR already administers two programs, Natural area partnership and forest stewardship, which overlap with the proposed stewardship and partnering program.

The bill creates an environmental special fund to be used for salaries and expenses of the program, but the fund will be unable to meet the Legislative Auditor's criteria on self-sustainability, because no regular source of revenue, such as specific fees, is identified for this special fund. Instead, the program will be supported by general fund appropriations, private gifts, and interest deposited in the special fund. Since no source of revenue is identified and no appropriation of general funds is made, this bill establishes a program that is unfunded and cannot be implemented.

Finally, the program is exempt from taxation, the procurement code, and the grants and subsidies law, but no justification was provided for these exemptions.

For the foregoing reasons, I am returning Senate Bill No. 953 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, Senate Bill No. 953, entitled 'A Bill for an Act Relating to Natural and Cultural Resources,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 953 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. 953 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
 BENJAMIN J. CAYETANO
 Governor of Hawaii"

"EXECUTIVE CHAMBERS
 HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1032

Honorable Members
 Twentieth 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 to Involuntary Psychiatric Treatment.'

The purpose of Senate Bill No. 1032 is to require the Department of Health to convene a task force to study and recommend to the Legislature a process, and the necessary criteria, to authorize the administration of involuntary psychoactive medication to patients committed to inpatient psychiatric facilities.

This bill is not necessary for two reasons. First, it makes no statutory change or appropriation. Second, the Department of Health has already convened an informal, ad hoc task force, the composition of which closely mirrors the membership proposed in the bill. The informal task force has met in the past year, and the Department of Health is willing to continue the meetings in the coming year in order to address the issues noted in the bill and to report findings and recommendations to the Legislature prior to the convening of the regular session of 2000.

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"

"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, Senate Bill No. 1032, entitled 'A Bill for an Act Relating to Involuntary Psychiatric Treatment,' 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
 BENJAMIN J. CAYETANO
 Governor of Hawaii"

"EXECUTIVE CHAMBERS
 HONOLULU

June 7, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1519

Honorable Members
 Twentieth 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. 1519, entitled 'A Bill for an Act Relating to Housing.'

The purpose of Senate Bill No. 1519 is to require assisted housing development owners to give one year's advance notice to tenants of their intent to terminate the provision of assisted housing under various specified programs. Senate Bill No. 1519 also gives tenant associations and certain nonprofit organizations priority opportunities to purchase the affected development. If enacted, this bill would place substantial administrative burdens on the Housing and Community Development Corporation of Hawaii without the necessary additional funding to accommodate these additional obligations. Senate Bill No. 1519, is also duplicative of the protections afforded by federal law under section 549 of the Quality Housing and Work Responsibility Act of 1998. If this federal law changes, the state law will also need to be amended, thereby wasting administrative and legislative time and money.

For the foregoing reasons, I am returning Senate Bill No. 1519 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. 1519, entitled 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1519 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. 1519 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 7th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 372, informing the Senate that on June 10, 1999, he signed the following bills into law:

House Bill No. 20 as Act 65, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 161 as Act 66, entitled: "RELATING TO SEARCH AND RESCUE COSTS";

House Bill No. 898 as Act 67, entitled: "RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI";

House Bill No. 1203 as Act 68, entitled: "RELATING TO THE COLLECTION OF TAXES";

House Bill No. 1622 as Act 69, entitled: "RELATING TO INTOXICATING LIQUOR";

Senate Bill No. 44 as Act 70, entitled: "RELATING TO TAXATION";

Senate Bill No. 638 as Act 71, entitled: "RELATING TO TAXATION";

Senate Bill No. 1147 as Act 72, entitled: "RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL";

Senate Bill No. 1270 as Act 73, entitled: "RELATING TO EDUCATION"; and

Senate Bill No. 1307 as Act 74, entitled: "RELATING TO SCHOOL PERFORMANCE."

Gov. Msg. No. 373, dated June 14, 1999, transmitting his statement of objections to House Bill No. 100 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 100

Honorable Members
Twentieth 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. 100, entitled 'A Bill for an Act Relating to the State Budget.'

The purpose of House Bill No. 100 is to appropriate funds for the fiscal biennium July 1, 1999, to June 30, 2001, for the operating expenditures of the various executive branch agencies and programs and capital improvement projects. While the bill as a whole has merit, the appropriations for the operating expenses of the Department of Transportation at Kaunapali Harbor in item C-25 of section 3 on page 15 of this bill for fiscal years 1999-2000 and 2000-2001 are negative amounts. In addition, the appropriations for the State's contribution to the Employees' Retirement System for retirement costs for fiscal years 1999-2000 and 2000-2001 in item K-24 of section 3 on page 49 of this bill, and the related proviso in section 62 on page 83, do not take into account the reduction in contributions that will result from Senate Bill No. 1518, which was also passed this session by the Legislature.

Consequently, I have indicated my objections to the appropriations in item C-25 of section 3 on page 15 of this bill by striking out '-5654B' for each fiscal year. Furthermore, I have indicated my objections to the retirement appropriations in item K-24 of section 3 on page 49 by reducing the general fund appropriation for fiscal year 1999-2000 from \$189,228,048 to \$106,425,888 and reducing the general fund appropriation for fiscal year 2000-2001 from \$192,131,046 to \$162,111,766. I have also made the same reductions in the same amounts stated on lines 12 and 13 in the related proviso, section 62 at page 83 of the bill. Finally, to be consistent, I have reduced the amounts specified for pension accumulation at line 16 of section 62 on page 83 from \$86,435,920 to \$3,633,760 for fiscal year 1999-2000 and from \$87,810,000 to \$57,790,720 for fiscal year 2000-2001.

For the foregoing reasons, I am returning House Bill No. 100 only with the negative amounts stricken from item C-25 of section 3 and the general fund appropriations reduced as indicated above in item K-24 of section 3 and the related proviso in section 62 of this bill by \$82,802,160 for fiscal year 1999-2000 and \$30,019,280 for fiscal year 2000-2001.

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. 100, entitled 'A Bill for an Act Relating to the State Budget,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 100 appropriates money for specific purposes and certain appropriation items in House Bill No. 100 are 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. 100 with my objections, as indicated, to certain appropriation items contained therein, as provided by said Section 16 of Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 374, dated June 14, 1999, transmitting his statement of objections to Senate Bill No. 1518 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1518

Honorable Members
Twentieth 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. 1518, entitled 'A Bill for an Act Relating to Government Operations.'

The purpose of Senate Bill No. 1518 is to allow the actuarial investment earnings in excess of a ten percent actuarial investment yield from fiscal years 1996-1997 and 1997-1998 from the Employees' Retirement System be used to reduce the State's and the counties' contribution to the Employees' Retirement System for retirement costs for fiscal years 1999-2000 and 2000-2001. In addition, this bill appropriates state general funds to the counties for fiscal years 1998-1999, 1999-2000, and 2000-2001 for the collective bargaining costs of agreements negotiated with the Hawaii Government Employees Association and the United Public Workers. Moreover, this bill requires all state departments and agencies to identify their goals, objectives, and policies to provide a basis for determining priorities and allocating limited public funds and human resources.

While this bill as a whole has merit, I object to the general fund appropriations made to the counties in section 4 of this bill for fiscal years 1998-1999, 1999-2000, and 2000-2001 to assist the counties with their collective bargaining costs. The counties will realize a tremendous, one-time savings from the reduction in the amounts that they would have to pay to the Employees' Retirement System for retirement costs. As a matter of policy, it is wrong to use state tax dollars from the general fund to pay for county employees' raises. Counties are responsible for funding collective bargaining costs for their employees. Furthermore, the general fund appropriations for fiscal year 1998-1999 have an effective date of July 1, 1999. Since the authorization to expend funds appropriated for fiscal year 1998-1999 expires at the end of that fiscal period on June 30, 1999, the authorization to expend the funds will expire on the day before these appropriations become effective.

Consequently, I have indicated my objections to the appropriations in section 4 of this bill by striking out the general fund appropriations for fiscal year 1998-1999 of \$2,133,499 for Maui County and \$154,500 for Kauai County; the general fund appropriations for fiscal year 1999-2000 of \$11,059,400 for the City and County of Honolulu, \$2,065,600 for Hawaii County, \$2,701,400 for Maui County, and \$858,900 for Kauai County; and the general fund appropriations for fiscal year 2000-2001 of \$11,059,400 for the City and County of Honolulu, \$2,065,600 for Hawaii County, \$2,701,400 for Maui County, and \$858,900 for Kauai County.

For the foregoing reasons, I am returning Senate Bill No. 1518 with the appropriations set forth above totaling \$2,287,999 for fiscal year 1998-1999, \$16,685,300 for fiscal year 1999-2000, and \$16,685,300 for fiscal year 2000-2001 stricken from section 4 of the bill.

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. 1518, entitled 'A Bill for an Act Relating to Government Operations,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1518 appropriates money for specific purposes and certain appropriation items in that bill are 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. 1518, with my objections to certain appropriation items contained therein, 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 375, dated June 14, 1999, transmitting his statement of objections to Senate Bill Nos. 788, 919, 1119, 1635 and 1638 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 788

Honorable Members
Twentieth 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. 788, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of Senate Bill No. 788 is to establish a mandatory cigarette tax stamp system as a means to assess, collect, and enforce the cigarette tax. The bill is intended to reduce the loss of cigarette tax revenue to the State from the illegal sale of untaxed cigarettes.

The Department of Health's discussions with the United States Customs Service, the Bureau of Alcohol, Tobacco and Firearms, and representatives of military exchanges indicated that there is no evidence of large-scale black market cigarette sales. The Department of Taxation also has repeatedly requested actual proof of cigarette smuggling, but no such information has been provided.

Even if such a problem exists, this bill will not solve the problem without appropriate monitoring and enforcement. Since this bill requires enforcement by county liquor commissions, which do not have the requisite expertise to enforce cigarette tax violations, it is doubtful that this bill could accomplish its objective of preventing the sale of black market cigarettes.

Furthermore, this bill will be costly to implement and will require additional administrative rules. Given the lack of concrete evidence that large-scale smuggling of cigarettes exists, it is uncertain whether the State will be able to recoup these costs. Moreover, this bill requires the use of tax stamps beginning December 1, 1999, which is too short a period for adopting the rules necessary to implement such an ambitious tax collection system. Before implementing this collection system, stamps and tax forms would have to be designed and printed and a system for distribution, collection, reporting, and enforcement would have to be created.

Finally, the conference committee report on this bill is misleading, because it states that a cigarette tax stamp system is necessary to share in the proceeds from recent tobacco litigation. In actuality, a cigarette tax stamp system is not required to meet the terms of the tobacco litigation and to share in the proceeds.

For the foregoing reasons, I am returning Senate Bill No. 788 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. 788, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 788 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. 788 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 9, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 919

Honorable Members
Twentieth 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. 919, entitled 'A Bill for an Act Relating to Robbery.'

The purpose of Senate Bill No. 919 is to amend the statutes for robbery in the first and second degrees to permit a robbery conviction even though the victim was unaware that a theft had been committed and to amend the definition of 'dangerous instrument' to include the term 'an animal.'

Permitting a robbery conviction even though the victim was unaware of the theft would overturn the recent Hawaii Supreme Court decision in State v. Mitsuda, 86 Haw. 37, 947 P.2d 349 (1997). This requirement that the victim of a robbery be aware of the theft comes from a fundamental notion regarding robbery -- that robbery is in essence a forcible theft from the person.

The definition of robbery in the Hawaii Penal Code embodies this concept of forcible theft from the person by requiring that the person threatened during the robbery be present and that the threat be made with the intent 'to compel acquiescence to the taking of or escaping with the property.' In Mitsuda, the Hawaii Supreme Court found that the requirement that the person be aware of the theft is consistent with the law defining the offense of robbery in Hawaii even before the adoption of the Hawaii Penal Code. It is for this reason, as noted by the Hawaii Supreme Court, that robbery is punished more severely than its component parts, assault and theft, because of the heightened sense of danger to a victim who is aware of having possessions taken through the use or threat of force. Deleting the requirement that the victim be aware of the theft undermines the rationale for punishing robbery more severely than its component parts.

Furthermore, the amendments to the robbery offense, as proposed in this bill, were prompted by a unique case. The facts in Mitsuda were unusual, because a defendant rarely is charged with a robbery offense when the victim of the robbery is unaware of the theft. Moreover, the defendant in the Mitsuda case did not go unpunished, because the defendant was convicted of burglary and theft. The robbery offense should not be rewritten because of one unusual case, especially when there are historical and cogent reasons in support of the Supreme Court's decision in the Mitsuda case.

This bill also adds 'an animal' to the definition of 'dangerous instrument' in section 708-840, Hawaii Revised Statutes. However, the current definition of 'dangerous instrument' already includes 'any . . . weapon, device, instrument, material, or substance, whether animate or inanimate.' 'Animate' would of course include 'an animal.' Since the existing statute already defines 'dangerous instrument' to include 'an animal,' this bill's amendment to the definition is superfluous.

For the foregoing reasons, I am returning Senate Bill No. 919 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. 919, entitled 'A Bill for an Act Relating to Robbery,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 919 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. 919 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 9th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1119

Honorable Members
Twentieth 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. 1119, entitled 'A Bill for an Act Relating to Homicide.'

The purpose of Senate Bill No. 1119 is to change the burden of proof of the extreme mental or emotional disturbance (EMED) defense of manslaughter by placing the burden on the defendant and not on the prosecution. The bill seeks to achieve this change by labeling the EMED defense, as an 'affirmative defense.'

The major impetus of this legislation appears to be a misunderstanding of the current law that resulted from widespread media coverage of a homicide case. The EMED defense in its current form has been part of Hawaii law for nearly thirty years and has been clarified and explained through a number of well-reasoned appellate cases. The Hawaii Penal Code's formulation of the EMED defense was adopted from, and is consistent with, the Model Penal Code.

Shifting the burden on the EMED defense to the defendant will have the unintended effect of denying the defense under some circumstances to persons, such as battered women, who should be legitimately entitled to its benefit. It is not uncommon for a battered woman to kill her abuser when he is sleeping or not posing an immediate threat. Under this bill, in order to successfully raise the EMED defense, a battered woman will be required to prove by a preponderance of the evidence that she acted under an extreme mental or emotional disturbance for which there is a reasonable explanation, although the circumstances may show no immediate threat -- and, by inference, little reason for a disturbance. This may impose on the battered woman an evidentiary burden that may be difficult or impossible to meet.

Additionally, restructuring the extreme mental or emotional disturbance manslaughter ('voluntary manslaughter') defense into an affirmative defense, thereby requiring the defendant to prove by a preponderance of the evidence that he or she was under extreme mental or emotional distress for which there is a reasonable explanation, raises due process concerns because of the unique nature of the offense of 'voluntary' manslaughter in Hawaii.

This bill will consequently not only require the defendant to come forward with evidence, it will likely compel the defendant to testify in order to prove the defense. Indeed, this bill assumes that the defendant will invariably be able to establish the 'affirmative defense' to the satisfaction of the jury when it exists in fact. However, this is not necessarily true, because the defendant may not be able to establish the 'affirmative defense,' even when the prosecutor acknowledges its applicability. The burden, therefore, should properly remain on the prosecution.

It is not surprising that the vast majority of jurisdictions nationwide, including the federal jurisdiction, do not require the defendant to prove the EMED defense; instead, they place the burden on the prosecution, as the law in Hawaii currently provides. Such an overwhelming lack of endorsement of the use of the affirmative defense as applied to the EMED defense is not a good indication of the viability of its use.

For the foregoing reasons, I am returning Senate Bill No. 1119 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. 1119, entitled 'A Bill for an Act Relating to Homicide,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1119 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. 1119 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO.
1635

Honorable Members
Twentieth 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. 1635, entitled 'A Bill for an Act Relating to Public Land Trust.'

The purpose of Senate Bill No. 1635 is to facilitate the resolution of public land trust issues. This bill requires completion of an inventory of the lands subject to the public trust imposed by section 5 (f) of the Admission Act and provides an alternative funding mechanism for transferring a portion of the income and proceeds from the lands of the public trust to the Office of Hawaiian Affairs for an additional year.

This bill has the same purpose as Act 329, Session Laws of Hawaii 1997, whose principal purpose also was to fashion a comprehensive, just, and lasting or global resolution of all controversies relating to the proper management and disposition of the public land trust and the income and proceeds the trust generates. However, this bill neither extends the life of the executive-legislative committee that Act 329 established for gathering information, facilitating discussions, and formulating recommendations for a global resolution of all public land trust-related controversies, nor establishes an alternative mechanism for furthering and securing this bill's stated purpose.

In addition, the trustees of the Office of Hawaiian Affairs have discontinued our earlier settlement efforts and asked me to veto this bill. I understand further that the trustees prefer that the differences between the State and OHA presently pending before the Hawaii Supreme Court in the State's appeal in OHA v. State, S.Ct. No. 20281, be decided by the Court. I must assume that the trustees are aware that federal legislation precludes the State's airports system from paying for the use of public land trust lands with airport revenue, and that without the \$16,060,000 appropriation this bill would make, there will be no non-airport revenue appropriation to pay for the airport system's use.

Given OHA's request, the State's pressing need to apply its limited general revenues as productively as possible, and the fact that this bill provides no concrete means for furthering the effort toward a global resolution of all outstanding issues relating to the public land trust, I am not convinced of the necessity of this bill.

For the foregoing reasons, I am returning Senate Bill No. 1635 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, Senate Bill No. 1635, entitled 'A Bill for an Act Relating to Public Land Trust,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1635 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. 1635 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 8, 1999

STATEMENT OF OBJECTIONS TO SENATE BILL NO.
1638

Honorable Members
Twentieth 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. 1638, entitled 'A Bill for an Act Relating to Educational Officers.'

The purpose of Senate Bill No. 1638 is to require the Department of Education (DOE) and the exclusive representative for bargaining unit 6 to study possible inequities in pay for educational officers within the DOE and report to the Legislature before the convening of the regular session of 2000.

However, the DOE is able to pursue an internal review of the matter without this legislation. Moreover, some of the requirements of this bill are duplicated by a proviso contained in House Bill No. 100, the bill that will enact the General Appropriations Act of 1999, which requires the Auditor to conduct a study of the compensation of DOE personnel. The Auditor office is in a better position to conduct an impartial review because the Auditor has no vested interest in the results of the study.

For the foregoing reasons, I am returning Senate Bill No. 1638 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, Senate Bill No. 1638, entitled 'A Bill for an Act Relating to Educational Officers,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1638 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. 1638 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 8th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 376, dated June 14, 1999, transmitting his statement of objections to House Bill Nos. 104, 273, 300, 499, 522, 532, 895, 1088 and 1416 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 8, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 104

Honorable Members
Twentieth 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. 104, entitled 'A Bill for an Act Relating to the Public Employees Health Fund.'

The purpose of this bill is to amend Act 309, Session Laws of Hawaii 1996, which authorized the establishment of a committee comprised of representatives from state and county public employers and public employee unions to develop, recommend, and implement an employer-union trust concept for determining and administering employee and retiree health benefits, by changing the composition of the committee and its purpose. Act 309 was enacted to establish a timetable to proceed with the conversion to an employer-union trust concept for determining and administering public employee and retiree health benefits, and to mandate that public employers and employee organizations work together on this effort.

This bill is objectionable first because it amends Act 309 by deleting the references to 'employer-union trust concept' and replacing it with 'alternative concepts,' which redirects the committee to explore other concepts and obscures the purpose of Act 309. Second, the bill is unclear and ambiguous about whether it authorizes the appointment of two, three, or more co-chairs to lead the committee. Third, the bill proposes an amendment to section 2 of Act 309, which allows 'any committee member or group of members [to] finalize a proposal to replace the existing public employees health fund

with a system based on alternative concepts in the form of proposed legislation.' This provision undermines the objective of the Employer-Union Trust Concept Committee because (1) it promotes dissension among committee members and diverts the focus of the committee from its primary mission; and (2) it would inadvertently permit the submission to the Legislature of a proposal from any committee member or any group of committee members, which may not be the proposal supported by the overall committee.

For the foregoing reasons, I am returning House Bill No. 104 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. 104, entitled 'A Bill for an Act Relating to the Public Employees Health Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 104 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. 104 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 8th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 273

Honorable Members
Twentieth 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. 273, entitled 'A Bill for an Act Relating to Children.'

The purpose of House Bill No. 273 is to amend chapter 707, Hawaii Revised Statutes, to create three new sections for the offenses of child abuse in the first, second, and third degrees, which are classified as A, B, and C felony offenses, respectively. The graduation for these offenses is based on the defendant's state of mind and the extent of the injury caused to the minor victim, who must be twelve years old or younger. This bill also amends sections 707-710 and 707-711, Hawaii

Revised Statutes, relating to the offenses of assault in the first and second degrees, which are classified as B and C felony offenses, respectively, by adding the provision that the victim be thirteen years old or older. Lastly, the bill adds the three new child abuse offenses to section 706-662, Hawaii Revised Statutes, which sets out the criteria for extended terms of imprisonment.

I understand that this measure was passed at least partially in response to a few cases widely reported in the media. However, the prohibited conduct covered by the newly created offenses is already punishable under our existing assault statutes. Consequently, the real impact of this bill is simply to elevate the criminal penalties that are presently prescribed in our statutes when the assaults are committed against a person who is twelve years old or younger. It is unnecessary to create new child abuse offenses and redefine our existing assault offenses when the only effect is the increase of possible penalties when the assault is committed against a minor under the age of thirteen years.

Furthermore, the new child abuse offenses or the redefined assault offenses will not be lesser included offenses in the offense of attempted murder. Lesser included offenses must meet the requirements listed in section 701-109(4), Hawaii Revised Statutes. Because the new and redefined offenses will require proof of the victim's age and the offense of attempted murder does not require proof of the victim's age, the new child abuse and redefined assault offenses will require proof of more facts than those required to establish attempted murder. Since the other requirements of section 701-109(4), Hawaii Revised Statutes, are not met, the new and redefined offenses will not be lesser included offenses of attempted murder. This change to be effectuated by this bill will seriously disadvantage both the prosecution and the defense in criminal prosecutions. The Legislature has inserted age requirements in two particular offenses in the Hawaii Penal Code and in three newly created offenses, apparently without being cognizant that the Penal Code has internal consistency and amending one statute may have significant incongruous consequences in another context.

For the foregoing reasons, I am returning House Bill No. 273 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. 273, entitled 'A Bill for an Act Relating to Children,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 273 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. 273 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 300

Honorable Members
Twentieth 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. 300, entitled 'A Bill for an Act Relating to the Penal Code.'

The purpose of House Bill No. 300 is to create a new offense of assault against a police officer in the first degree. Under this bill, any person who intentionally or knowingly causes bodily injury to a police officer who is engaged in the performance of duty would be guilty of a class C felony. In addition, the bill renames the current offense of 'assault against a police officer' to 'assault against a police officer in the second degree' and penalizes any person who recklessly causes bodily injury to a police officer engaged in the performance of duty.

The intent of this bill is to enhance the penalty for assaulting a police officer in order to deter suspects who might otherwise escalate encounters with police officers into physical confrontations. However, the practical effect of this bill is the opposite. As passed, this bill creates a situation where a person committing the less serious misdemeanor offense of assault against a police officer in the second degree would receive a penalty of a mandatory thirty days in prison while another person who commits the more serious felony offense of assault against a police officer in the first degree would not. Instead, the convicted felon may receive a sentence of probation without any prison term imposed.

Furthermore, although Senate Standing Committee Report No. 1493 on this bill noted that 359 cases of assaults against police officers were filed in 1997, it has been reported that the incidents of assaults against police officers have been decreasing. For example, in 1995, there were 372 reported cases of assaults against police officers of the Honolulu Police Department. Two years later in 1997, the number of assault cases involving Honolulu police officers dropped nearly twenty-five percent to 284. I am concerned that, with these significant decreasing figures, the added costs of felony prosecution of such offenses may be an unnecessary additional expenditure.

Moreover, if a significant number of the 359 cases of assaults against police officers are prosecuted as felonies, the circuit courts of Hawaii will be inundated with these felony cases and these cases may severely impact a system already straining to keep up with its responsibilities with respect to defendants charged with violating felony laws. Yet, no additional resources are provided in this bill either to the criminal justice system or to the correctional system to address these additional costs.

In the same vein, the legislative committee reports do not cite to any data that indicate that an enhancement of the penalty from a misdemeanor to a felony would have any real effect on reducing the number of assaults against police officers. Indeed, no data are cited as to whether the current authority to impose a term of imprisonment of up to one year, in conjunction with the thirty days mandatory imprisonment, would not provide an adequate and sufficient deterrent effect.

Additionally, this bill will set the threshold trigger in the felony assault against a police officer to only require 'bodily injury' to a police officer. We all recognize that police officers are our front-line protection against crime and are called upon to handle volatile situations. However, this bill will allow a felony prosecution when a police officer suffered the slightest pain during an arrest in which the arrestee may have resisted arrest. The conduct sought to be proscribed by the new felony offense created in this bill is similar to and overlaps the conduct attendant to the misdemeanor offense of resisting arrest.

The legislative committee reports noted that existing laws upgrade misdemeanor assaults to class C felony offenses when committed against correctional and educational workers. This bill apparently seeks to extend equivalent protection to police officers. However, educational workers are afforded special protection because they are unarmed and not trained to deal with aggressive persons. Similarly, while correctional workers may receive some training in handling difficult persons, this training is offset by the fact that correctional workers are unarmed and work in daily close contact with the inmates they supervise. It is reasonable and understandable that the law must provide educational and correctional workers with added protection through enhanced penalties, but the circumstances of those workers are not the same as those of police officers.

For the foregoing reasons, I am returning House Bill No. 300 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. 300, entitled 'A Bill for an Act Relating to the Penal Code,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 300 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. 300 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
 BENJAMIN J. CAYETANO
 Governor of Hawaii"

"EXECUTIVE CHAMBERS
 HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 499

Honorable Members
 Twentieth 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. 499, entitled 'A Bill for an Act Relating to the Employees' Retirement System.'

The purpose of House Bill No. 499 is to provide conservation and resources law enforcement (DOCARE) officers in the Department of Land and Natural Resources retirement benefits similar to police officers. Currently, the DOCARE officers' retirement benefits are the same as most State employees. This bill allows DOCARE officers the option to convert from class C (noncontributory) membership to class A (contributory) membership effective July 1, 1999, provided that any credited class C service prior to July 1, 1999, will remain class C. New DOCARE officers who are hired after June 30, 1999, are required to become class A members.

I believe that it is not appropriate, when fiscal and budgetary restraint needs to be exercised, to permit such enhancement of retirement benefits. Depending upon the number of class C DOCARE officers who elect to convert to class A membership, the Employees' Retirement System's actuary has determined that this bill would increase the unfunded actuarial accrued liability of the Employees' Retirement System between \$3,700,000 and \$6,500,000, and increase annual state general fund appropriations to the Employees' Retirement System pension accumulation fund to between \$800,000 and \$1,000,000.

For the foregoing reasons, I am returning House Bill No. 499 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. 499, entitled 'A Bill for an Act Relating to the Employees' Retirement System,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 499 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. 499 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
 BENJAMIN J. CAYETANO
 Governor of Hawaii"

"EXECUTIVE CHAMBERS

HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 522

Honorable Members
Twentieth 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. 522, entitled 'A Bill for an Act Relating to the School-to-Work Opportunities Pilot Project.'

The purpose of House Bill No. 522 is to amend Act 343, Session Laws of Hawaii 1997, to codify the school-to-work opportunities pilot project into permanent law by creating a new part of chapter 302A, Hawaii Revised Statutes, that will make the School-to-Work Opportunities Executive Council advisory in nature, and transfer management of the school-to-work opportunities staff to the Department of Education (DOE). This bill requires the DOE to employ an executive director for the school-to-work opportunities pilot project, who will be nominated by the superintendent and approved by the School-to-Work Opportunities Executive Council. This bill also transfers the responsibility for employing exempt staff from the Council to the DOE with the Council continuing to govern the school-to-work system. In addition, this bill requires Council members to pay their own travel expenses, unless actually engaged in Council business, and requires the Council and the Superintendent to develop a transition plan by July 1, 1999, to be implemented by September 1, 1999.

However, the bill includes a grandfather clause that allows the DOE to place employees into civil service positions and requires that the employees be retained if the program or position is abolished. Furthermore, there is no appropriation to implement the provisions of the bill. Consequently, this bill is contrary to the civil service reforms in progress and lacks the legislative funding commitment necessary to implement its provisions.

For the foregoing reasons, I am returning House Bill No. 522 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. 522, entitled 'A Bill for an Act Relating to the School-to-Work Opportunities Pilot Project,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 522 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. 522 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 532

Honorable Members
Twentieth 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. 532, entitled 'A Bill for an Act Relating to Gender Equity in Sports.'

The purpose of this bill is to ensure high school compliance with the gender equity provisions of Title IX of the United States Code. This bill will add a new subpart to chapter 302A, Hawaii Revised Statutes, to establish an advisory commission on gender equity in sports and require rules and a three-year strategic plan to implement recommendations.

This bill is unnecessary, the Department of Education (DOE) is currently in compliance with basic Title IX requirements and will continue to promote its short- and long-term compliance efforts. Furthermore, the Superintendent has stated that he is committed to continuing the DOE's short- and long-term compliance efforts. As proponents of the bill testified, this bill would be unnecessary if they had DOE's assurance on increased compliance efforts.

For the foregoing reasons, I am returning House Bill No. 532 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. 532, entitled 'A Bill for an Act Relating to Gender Equity in Sports,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 532 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. 532 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 8, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 895

Honorable Members
Twentieth 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. 895, entitled 'A Bill for an Act Relating to Emergency Medical Services.'

The purpose of House Bill No. 895 is to further the development of immediate critical care and transport by fixed- or rotary-wing aircraft of a patient to a specialized medical care facility (emergency aeromedical services or EAS) by, among other things, authorizing the Department of Health to include EAS as part of the statewide emergency medical services system, requiring the Department of Health to establish an emergency aeromedical medical services information system (EAMSIS) to collect specified data to help determine the effectiveness of the aeromedical quality improvement program and to identify EAS system strengths and weaknesses, and requiring the Department of Health to establish an emergency aeromedical services quality improvement advisory committee (advisory committee) with specified membership to analyze EAMSIS information.

The bill appears to be unnecessary, because the functions required by this bill can be implemented administratively by the Department of Health. Moreover, the advisory committee would be required to analyze EAMSIS data, but the advisory committee would exclude Department of Health representation. Analysis of EAMSIS data and development of recommendations, as well as cost implications, to improve the EAS system should be functions of the Department of Health.

For the foregoing reasons, I am returning House Bill No. 895 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. 895, entitled 'A Bill for an Act Relating to Emergency Medical Services,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 895 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. 895 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 8th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1088

Honorable Members
Twentieth 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. 1088, entitled 'A Bill for an Act Relating to School Attendance.'

The purpose of House Bill No. 1088 is to have the Board of Education conduct a study examining the minimum age that children should attain to attend kindergarten. The study is to include the establishment of readiness standards for entering kindergartners and the procedure to assess children by these standards. No appropriation is made for the study.

I support the goal of the bill to improve education. However, establishing readiness standards for entrance and assessing children by such standards risk excluding children who most need to have educational experiences to support their intellectual, language, and social development. A better approach is to improve accountability at each grade level and prohibit social promotion. Furthermore, this bill lacks the legislative funding commitment to conduct the study.

For the foregoing reasons, I am returning House Bill No. 1088 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. 1088, entitled 'A Bill for an Act Relating to School Attendance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1088 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. 1088 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1416

Honorable Members
Twentieth 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. 1416, entitled 'A Bill for an Act Relating to the Employees' Retirement System.'

The purpose of House Bill No. 1416 is to provide deputy sheriffs in the Department of Public Safety with the option to have retirement benefits similar to other high-risk occupations, such as police officers. Currently, the deputy sheriffs' retirement benefits are the same as most state employees. This bill allows deputy sheriffs the option to convert from class C (noncontributory) membership to class A (contributory) membership effective July 1, 1999, provided that any credited class C service prior to July 1, 1999, will remain class C. New deputy sheriffs who are hired after June 30, 1999, are required to become class A members.

I believe that it is not appropriate, when fiscal and budgetary restraint needs to be exercised, to permit such enhancement of retirement benefits. Depending upon the number of class C deputy sheriffs who elect to convert to class A membership, the Employees' Retirement System's actuary has determined that this bill would increase the unfunded actuarial accrued liability of the Employees' Retirement System between \$200,000 and \$3,200,000, and increase annual state general fund appropriations to the Employees' Retirement System pension accumulation fund to between \$500,000 and \$800,000.

For the foregoing reasons, I am returning House Bill No. 1416 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. 1416, entitled 'A Bill for an Act Relating to the Employees' Retirement System,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1416 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. 1416 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 377, dated June 15, 1999, transmitting his statement of objections to House Bill No. 1675 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 10, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1675

Honorable Members
Twentieth 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. 1675, entitled 'A Bill for an Act Relating to Hawaiian Home Lands Trust Individual Claims.'

The purpose of this bill is to extend the individual claims review process for one more year, without correcting the applicable criteria and formula for damages. This bill will also create a compensation commission to develop proposals for alternative means of compensating claimants who have received a favorable ruling from the Hawaiian Home Lands Individual Trust Claims Review Panel ('Panel').

By way of background, the individual claims review process was established by the Legislature in 1991 and it has been in operation for the last eight years. Moreover, after being established, the Panel took six long years before it finally submitted its first report to the Legislature with its recommended damage awards. This occurred in 1997. To date, the Panel has reviewed less than half of the more than 4000 claims filed. At this pace, it would certainly take more than 'one more year' for the Panel to complete its review of all the claims. This is totally unacceptable. The claimants as well as the State have been dragged through this process long enough, and this bill does nothing to expedite the matter.

Moreover, throughout the Panel's administrative review process, the Panel has continually misapplied the claims' criteria and formula for damages. For example, the Panel has improperly included 'wait list' claims as viable claims under chapter 674, Hawaii Revised Statutes. The problem of beneficiaries 'waiting' too long for a homestead was intended to be remedied by Act 14, Session Laws of Hawaii 1995, and not by the individual claims review process under chapter 674. Yet, under the currently applied criteria and formula, the Panel has deemed waiting list claims to be compensable. This bill fails to correct the Panel's erroneous inclusion of wait list claims as compensable claims.

Furthermore, in response to the Panel's first report to the Legislature containing recommended damages, the Legislature in 1997 enacted Act 382, which created a Working Group consisting of the Attorney General, the Director of Finance, the

Chairperson of the Hawaiian Homes Commission, and the Chairperson of the Panel. This Working Group was created because the Legislature specifically found that there was 'disagreement between the parties over the formula utilized by the [Panel] to arrive at award amounts.' Accordingly, the Working Group was directed to discuss and formulate 'an appropriate formula and any criteria necessary to qualify and resolve all claims made under chapter 674, Hawaii Revised Statutes.' Upon approval by the Governor, the recommendations of the Working Group were to be applied by the Panel. Unfortunately, due to a civil lawsuit brought by several of the claimants, the Panel was enjoined from considering the twenty-five recommendations of the Working Group. Notwithstanding the injunction, this Legislature was still free to correct the disagreement over the claims' criteria and formula. The Legislature, having the opportunity this past legislative session to correct this matter, nevertheless failed to do this.

Other concerns with the validity of the Panel's recommended awards were further identified by the Attorney General in her response to the Panel's Report to the Governor and the 1999 Hawaii Legislature. Concerns were also raised by the Attorney General relative to the Panel's bias and conflicts of interests. None of these concerns are addressed by this bill.

Consequently, not only has the Legislature failed to clarify the disagreement over the criteria and formula for damages for these claims, but the Legislature is also responsible, in part, for the two-year delay, caused by the litigation, in processing these claims. Now, this bill will perpetuate the same erroneous standards for another year. This, in turn, will perpetuate the beneficiaries' misunderstanding that the Panel's recommended awards are valid. This misunderstanding by the beneficiaries cannot be allowed to continue.

For the foregoing reasons, I am returning House Bill No. 1675 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. 1675, entitled 'A Bill for an Act Relating to Hawaiian Home Lands Trust Individual Claims,' was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1675 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. 1675 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 10th day of June, 1999.

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO

Governor of Hawaii"

Gov. Msg. No. 378, dated June 16, 1999, transmitting his statement of objections to House Bill No. 1296 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 15, 1999

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1296

Honorable Members
Twentieth 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. 1296, entitled 'A Bill for an Act Relating to Kaneohe Bay.'

The purpose of House Bill No. 1296 is to require administrative rules governing commercial operations at Kaneohe Bay to be based on the provisions of the original Kaneohe Bay Master Plan, instead of a master plan as it may be amended by the Kaneohe Bay Regional Council, unless a rule is required to protect public health or safety or to ensure resource preservation or protection.

This bill is unnecessary, because the Kaneohe Bay Master Plan is in the process of being updated under the current statute. That updating process should address the concerns raised in the committee reports on this bill regarding preserving the long-term integrity and beauty of Kaneohe Bay while addressing the needs of the commercial operators who utilize Kaneohe Bay as their place of business.

For the foregoing reasons, I am returning House Bill No. 1296 without my approval.

Respectfully,

/s/ Mazie K. Hirono
MAZIE K. HIRONO
Acting 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. 1296, entitled 'A Bill for an Act Relating to Kaneohe Bay,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1296 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, MAZIE K. HIRONO, Acting 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. 1296 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 15th day of June, 1999.

/s/ Mazie K. Hirono
MAZIE K. HIRONO
Acting Governor of Hawaii"

Gov. Msg. No. 379, informing the Senate that on June 17, 1999, the following bill was signed into law:

Senate Bill No. 1157 as Act 75, entitled: "RELATING TO THE STATE LIBRARIAN."

Gov. Msg. No. 380, informing the Senate that on June 18, 1999, the following bill was signed into law:

House Bill No. 634 as Act 76, entitled: "ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII."

Gov. Msg. No. 381, informing the Senate that on June 21, 1999, the following bills were signed into law:

House Bill No. 172 as Act 77, entitled: "RELATING TO HOSPICE SERVICES";

House Bill No. 212 as Act 78, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

House Bill No. 1575 as Act 79, entitled: "MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS"; and

Senate Bill No. 1011 as Act 80, entitled: "RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS."

Gov. Msg. No. 382, informing the Senate that on June 22, 1999, the following bills were signed into law:

House Bill No. 307 as Act 81, entitled: "RELATING TO HIGHER EDUCATION";

House Bill No. 562 as Act 82, entitled: "RELATING TO MEASUREMENT STANDARDS";

House Bill No. 746 as Act 83, entitled: "RELATING TO HULA";

House Bill No. 1183 as Act 84, entitled: "RELATING TO BEACH LANDS"; and

Senate Bill No. 1091 as Act 85, entitled: "RELATING TO AQUATIC RESOURCES."

Gov. Msg. No. 383, informing the Senate that on June 23, 1999, the following bills were signed into law:

House Bill No. 326 as Act 86, entitled: "RELATING TO HEALTH INSURANCE";

House Bill No. 351 as Act 87, entitled: "RELATING TO PRIVACY OF HEALTH CARE INFORMATION";

House Bill No. 547 as Act 88, entitled: "RELATING TO ANATOMICAL GIFTS";

Senate Bill No. 829 as Act 89, entitled: "RELATING TO THE HAWAII RULES OF EVIDENCE"; and

Senate Bill No. 40 as Act 90, entitled: "RELATING TO PHYSICIAN ASSISTANTS."

Gov. Msg. No. 384, informing the Senate that on June 24, 1999, he signed the following bills into law:

House Bill No. 100 as Act 91, entitled: "RELATING TO THE STATE BUDGET";

House Bill No. 1454 as Act 92, entitled: "RELATING TO FEES";

Senate Bill No. 131 as Act 93, entitled: "RELATING TO LONG-TERM CARE";

Senate Bill No. 365 as Act 94, entitled: "RELATING TO CONSUMER PROTECTION";

Senate Bill No. 588 as Act 95, entitled: "RELATING TO SEX OFFENDERS";

Senate Bill No. 628 as Act 96, entitled: "RELATING TO ELECTIONS";

Senate Bill No. 779 as Act 97, entitled: "RELATING TO DENTAL HYGIENISTS";

Senate Bill No. 816 as Act 98, entitled: "RELATING TO THE CONVENTION CENTER";

Senate Bill No. 830 as Act 99, entitled: "RELATING TO HEALTH INSURANCE REIMBURSEMENT"; and

Senate Bill No. 1518 as Act 100, entitled: "RELATING TO GOVERNMENT OPERATIONS."

Gov. Msg. No. 385, informing the Senate that on June 25, 1999, he signed the following bills into law:

House Bill No. 160 as Act 101, entitled: "RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY";

House Bill No. 248 as Act 102, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 314 as Act 103, entitled: "RELATING TO THE STATE AQUARIUM";

House Bill No. 333 as Act 104, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURE";

House Bill No. 377 as Act 105, entitled: "RELATING TO ECONOMIC DEVELOPMENT";

House Bill No. 582 as Act 106, entitled: "RELATING TO LANDOWNER LIABILITY";

House Bill No. 753 as Act 107, entitled: "RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS";

House Bill No. 842 as Act 108, entitled: "RELATING TO GLASS CONTAINER RECOVERIES";

House Bill No. 850 as Act 109, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 854 as Act 110, entitled: "RELATING TO EDUCATION";

House Bill No. 989 as Act 111, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 1012 as Act 112, entitled: "RELATING TO THE CLEAN HAWAII FUND";

House Bill No. 1020 as Act 113, entitled: "RELATING TO THE HAWAII CAPITAL LOAN PROGRAM";

- House Bill No. 1085 as Act 114, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION";
- House Bill No. 1111 as Act 115, entitled: "RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS";
- House Bill No. 1119 as Act 116, entitled: "RELATING TO CHILD PROTECTIVE SERVICES";
- House Bill No. 1280 as Act 117, entitled: "RELATING TO AGRICULTURE";
- House Bill No. 1637 as Act 118, entitled: "RELATING TO SCHOOL BUSES";
- House Bill No. 1663 as Act 119, entitled: "RELATING TO HEALTH";
- House Bill No. 1664 as Act 120, entitled: "RELATING TO HEALTH";
- Senate Bill No. 844 as Act 121, entitled: "RELATING TO HEALTH INSURANCE";
- Senate Bill No. 942 as Act 122, entitled: "RELATING TO HUNTING";
- Senate Bill No. 951 as Act 123, entitled: "RELATING TO EMPLOYEE BENEFIT PLANS";
- Senate Bill No. 1049 as Act 124, entitled: "RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS";
- Senate Bill No. 1082 as Act 125, entitled: "RELATING TO THE BUREAU OF CONVEYANCES";
- Senate Bill No. 1102 as Act 126, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- Senate Bill No. 1127 as Act 127, entitled: "RELATING TO INSURANCE";
- Senate Bill No. 1131 as Act 128, entitled: "RELATING TO INSURANCE";
- Senate Bill No. 1145 as Act 129, entitled: "RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";
- Senate Bill No. 1155 as Act 130, entitled: "RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS";
- Senate Bill No. 1158 as Act 131, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS";
- Senate Bill No. 1163 as Act 132, entitled: "RELATING TO THE RELEASE OF PRE-TRIAL INMATES";
- Senate Bill No. 1229 as Act 133, entitled: "RELATING TO HOUSING";
- Senate Bill No. 1274 as Act 134, entitled: "RELATING TO PUBLIC SAFETY";
- Senate Bill No. 1279 as Act 135, entitled: "RELATING TO THE UNIVERSAL SERVICE FUND";
- Senate Bill No. 1294 as Act 136, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- Senate Bill No. 1452 as Act 137, entitled: "RELATING TO HEALTH";
- Senate Bill No. 1470 as Act 138, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";
- Senate Bill No. 1485 as Act 139, entitled: "RELATING TO MINORS"; and
- Senate Bill No. 1502 as Act 140, entitled: "RELATING TO CAMPAIGN SPENDING."
- Gov. Msg. No. 386**, informing the Senate that on June 28, 1999, he signed the following bills into law:
- House Bill No. 1471 as Act 141, entitled: "RELATING TO ELECTIONS";
- Senate Bill No. 957 as Act 142, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";
- House Bill No. 177 as Act 143, entitled: "RELATING TO HARASSMENT";
- House Bill No. 424 as Act 144, entitled: "RELATING TO FOREST RESERVES";
- House Bill No. 440 as Act 145, entitled: "RELATING TO CONTROLLED SUBSTANCES";
- House Bill No. 460 as Act 146, entitled: "RELATING TO CHECK CASHING";
- House Bill No. 700 as Act 147, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";
- House Bill No. 978 as Act 148, entitled: "RELATING TO AGRICULTURE";
- House Bill No. 985 as Act 149, entitled: "RELATING TO PROCUREMENT";
- House Bill No. 1028 as Act 150, entitled: "RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION";
- House Bill No. 1064 as Act 151, entitled: "RELATING TO HAWAII HURRICANE RELIEF FUND BONDS";
- House Bill No. 1115 as Act 152, entitled: "RELATING TO FOSTER BOARDING HOMES";
- House Bill No. 1117 as Act 153, entitled: "RELATING TO THE CHILD PROTECTIVE ACT";
- House Bill No. 1124 as Act 154, entitled: "RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION";
- House Bill No. 1198 as Act 155, entitled: "RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION";
- House Bill No. 1450 as Act 156, entitled: "RELATING TO THE JUDICIARY";
- Senate Bill No. 5 as Act 157, entitled: "RELATING TO AGRICULTURAL LOANS";
- Senate Bill No. 392 as Act 158, entitled: "RELATING TO TRANSPORTATION";
- Senate Bill No. 528 as Act 159, entitled: "RELATING TO HEALTH INSURANCE";
- Senate Bill No. 646 as Act 160, entitled: "RELATING TO GOVERNMENT";

Senate Bill No. 949 as Act 161, entitled: "RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION";

Senate Bill No. 1101 as Act 162, entitled: "RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES";

Senate Bill No. 1129 as Act 163, entitled: "RELATING TO INSURANCE";

Senate Bill No. 1139 as Act 164, entitled: "RELATING TO LIMITED LIABILITY COMPANIES"; and

Senate Bill No. 1178 as Act 165, entitled: "RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES."

Gov. Msg. No. 387, informing the Senate that on June 29, 1999, he signed the following bills into law:

House Bill No. 86 as Act 166, entitled: "RELATING TO STATE BONDS";

House Bill No. 1035 as Act 167, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM"; and

Senate Bill No. 1282 as Act 168, entitled: "RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM."

Gov. Msg. No. 388, informing the Senate that on July 1, 1999, he signed the following bills into law:

House Bill No. 171 as Act 169, entitled: "RELATING TO HEALTH CARE DECISIONS";

Senate Bill No. 947 as Act 170, entitled: "RELATING TO TELEMARKETING FRAUD";

House Bill No. 252 as Act 171, entitled: "RELATING TO DEGREE GRANTING INSTITUTIONS";

House Bill No. 266 as Act 172, entitled: "RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT";

Senate Bill No. 1177 as Act 173, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 1261 as Act 174, entitled: "RELATING TO CAPTIVE INSURANCE";

House Bill No. 167 as Act 175, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

Senate Bill No. 1321 as Act 176, entitled: "RELATING TO OCEAN LEASING";

House Bill No. 336 as Act 177, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

Senate Bill No. 1583 as Act 178, entitled: "RELATING TO TECHNOLOGY";

House Bill No. 971 as Act 179, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 972 as Act 180, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES"; and

House Bill No. 973 as Act 181, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Gov. Msg. No. 389, informing the Senate that on July 1, 1999, he signed into law Senate Bill No. 1144 as Act 182, entitled: "RELATING TO FINANCIAL INSTITUTIONS."

Gov. Msg. No. 390, informing the Senate that on July 2, 1999, he signed the following bills into law:

House Bill No. 4 as Act 183, entitled: "RELATING TO POLICE ROADBLOCK PROGRAMS";

House Bill No. 7 as Act 184, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 77 as Act 185, entitled: "RELATING TO REAL PROPERTY ENCROACHMENT";

House Bill No. 138 as Act 186, entitled: "RELATING TO AGRICULTURAL GOODS";

House Bill No. 165 as Act 187, entitled: "RELATING TO ELECTIONS";

House Bill No. 1008 as Act 188, entitled: "RELATING TO TOBACCO LIABILITY";

House Bill No. 1017 as Act 189, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

House Bill No. 1086 as Act 190, entitled: "RELATING TO EDUCATION";

House Bill No. 1095 as Act 191, entitled: "RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 1138 as Act 192, entitled: "RELATING TO EPIDEMIOLOGIC INVESTIGATIONS";

House Bill No. 1142 as Act 193, entitled: "RELATING TO ENVIRONMENT";

House Bill No. 1146 as Act 194, entitled: "RELATING TO VITAL RECORD FEES";

House Bill No. 1181 as Act 195, entitled: "RELATING TO AQUATIC RESOURCES";

House Bill No. 1186 as Act 196, entitled: "RELATING TO WILDLIFE PENALTIES";

House Bill No. 1188 as Act 197, entitled: "RELATING TO THE STATE WATER CODE";

House Bill No. 1197 as Act 198, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE";

Senate Bill No. 550 as Act 199, entitled: "RELATING TO EDUCATION";

Senate Bill No. 590 as Act 200, entitled: "RELATING TO RESTRAINING AND PROTECTIVE ORDERS";

Senate Bill No. 591 as Act 201, entitled: "RELATING TO CUSTODY AND VISITATION";

Senate Bill No. 592 as Act 202, entitled: "RELATING TO FIREARMS";

Senate Bill No. 616 as Act 203, entitled: "RELATING TO PROSTITUTION";

Senate Bill No. 630 as Act 204, entitled: "RELATING TO CAMPAIGN CONTRIBUTIONS";

Senate Bill No. 631 as Act 205, entitled: "RELATING TO POLITICAL PARTIES";

Senate Bill No. 635 as Act 206, entitled: "RELATING TO SUBSTANCE ABUSE TESTING";

Senate Bill No. 663 as Act 207, entitled: "RELATING TO MOTOR VEHICLE REGISTRATIONS";

Senate Bill No. 664 as Act 208, entitled: "RELATING TO SPECIAL NUMBER PLATES";

Senate Bill No. 1018 as Act 209, entitled: "RELATING TO THE DRUG FORMULARY";

Senate Bill No. 1021 as Act 210, entitled: "RELATING TO CLINICAL LABORATORY PERSONNEL";

Senate Bill No. 1024 as Act 211, entitled: "RELATING TO ENVIRONMENT";

Senate Bill No. 1026 as Act 212, entitled: "RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL";

Senate Bill No. 1055 as Act 213, entitled: "RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS"; and

Senate Bill No. 1071 as Act 214, entitled: "RELATING TO SECURITIES."

Gov. Msg. No. 391, informing the Senate that on July 2, 1999, he signed the following bills into law:

House Bill No. 328 as Act 215, entitled: "RELATING TO SUBSTANCE ABUSE";

House Bill No. 411 as Act 216, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 500 as Act 217, entitled: "RELATING TO FIREARMS";

House Bill No. 519 as Act 218, entitled: "RELATING TO THE HAWAII TEACHER STANDARDS BOARD";

House Bill No. 602 as Act 219, entitled: "RELATING TO REGISTRATION OF A TRAILER";

House Bill No. 635 as Act 220, entitled: "RELATING TO HEALTH";

House Bill No. 715 as Act 221, entitled: "RELATING TO REGISTRATION OF VEHICLES";

House Bill No. 743 as Act 222, entitled: "RELATING TO ADVANCED PRACTICE REGISTERED NURSES";

House Bill No. 765 as Act 223, entitled: "RELATING TO MOTOR VEHICLE RENTAL INDUSTRY";

House Bill No. 797 as Act 224, entitled: "RELATING TO OUTDOOR RECREATION";

House Bill No. 980 as Act 225, entitled: "RELATING TO IRRIGATION WATER DEVELOPMENT";

House Bill No. 997 as Act 226, entitled: "RELATING TO MONEY LAUNDERING";

House Bill No. 999 as Act 227, entitled: "RELATING TO ORGANIZED CRIME";

House Bill No. 1153 as Act 228, entitled: "RELATING TO RETAIL LIQUOR SALES TO MINORS";

House Bill No. 1162 as Act 229, entitled: "RELATING TO SAFETY";

House Bill No. 1166 as Act 230, entitled: "RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM";

House Bill No. 1170 as Act 231, entitled: "RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS";

House Bill No. 1177 as Act 232, entitled: "RELATING TO ABANDONED VESSELS";

House Bill No. 1178 as Act 233, entitled: "RELATING TO ENFORCEMENT";

House Bill No. 1180 as Act 234, entitled: "RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE";

Senate Bill No. 27 as Act 235, entitled: "RELATING TO MOTOR VEHICLE REGISTRATION";

Senate Bill No. 36 as Act 236, entitled: "RELATING TO CONDOMINIUMS";

Senate Bill No. 186 as Act 237, entitled: "RELATING TO TORT LIABILITY";

Senate Bill No. 207 as Act 238, entitled: "RELATING TO WASTEWATER";

Senate Bill No. 236 as Act 239, entitled: "RELATING TO UNFAIR AND DECEPTIVE PRACTICES";

Senate Bill No. 238 as Act 240, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

Senate Bill No. 285 as Act 241, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

Senate Bill No. 513 as Act 242, entitled: "RELATING TO FAMILY CHILD CARE";

Senate Bill No. 1079 as Act 243, entitled: "RELATING TO PERMIT PROCESSING";

Senate Bill No. 1118 as Act 244, entitled: "RELATING TO HABITUAL CRIMINAL BEHAVIOR";

Senate Bill No. 1125 as Act 245, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";

Senate Bill No. 1128 as Act 246, entitled: "RELATING TO INSURANCE";

Senate Bill No. 1130 as Act 247, entitled: "RELATING TO HEALTH MAINTENANCE ORGANIZATIONS";

Senate Bill No. 1136 as Act 248, entitled: "RELATING TO REGULATION OF OSTEOPATHY";

Senate Bill No. 1140 as Act 249, entitled: "RELATING TO BUSINESS REGISTRATION";

Senate Bill No. 1142 as Act 250, entitled: "RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES";

Senate Bill No. 1149 as Act 251, entitled: "RELATING TO ENFORCEMENT OF WAGE LAWS";

Senate Bill No. 1160 as Act 252, entitled: "RELATING TO CONTROLLED SUBSTANCES";

Senate Bill No. 1180 as Act 253, entitled: "RELATING TO THE INCOME TAXATION OF NONRESIDENTS"; and

Senate Bill No. 1238 as Act 254, entitled: "RELATING TO PROFESSIONS AND OCCUPATIONS."

Gov. Msg. No. 392, informing the Senate that on July 6, 1999, he signed the following bills into law:

House Bill No. 1277 as Act 255, entitled: "RELATING TO WASTEWATER TREATMENT FACILITIES";

House Bill No. 1286 as Act 256, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.";

House Bill No. 1287 as Act 257, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC";

House Bill No. 1361 as Act 258, entitled: "RELATING TO CHARTER TOUR OPERATORS";

House Bill No. 1401 as Act 259, entitled: "RELATING TO MOTOR VEHICLE TOWING";

House Bill No. 1409 as Act 260, entitled: "RELATING TO THE LAND USE COMMISSION";

Senate Bill No. 676 as Act 261, entitled: "RELATING TO COMMERCIAL DRIVER'S LICENSES";

Senate Bill No. 700 as Act 262, entitled: "RELATING TO LOW-SPEED VEHICLES";

Senate Bill No. 709 as Act 263, entitled: "RELATING TO TRAFFIC ENFORCEMENT";

Senate Bill No. 776 as Act 264, entitled: "RELATING TO FINANCIAL SERVICES LOAN COMPANIES";

Senate Bill No. 798 as Act 265, entitled: "RELATING TO NOISE";

Senate Bill No. 809 as Act 266, entitled: "RELATING TO BOATING";

Senate Bill No. 822 as Act 267, entitled: "RELATING TO HEALTH INSURANCE";

Senate Bill No. 823 as Act 268, entitled: "RELATING TO SENTENCING";

House Bill No. 8 as Act 269, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

House Bill No. 170 as Act 270, entitled: "RELATING TO LONG-TERM CARE TAX BENEFITS";

House Bill No. 274 as Act 271, entitled: "RELATING TO FAMILIES";

House Bill No. 294 as Act 272, entitled: "RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS";

House Bill No. 325 as Act 273, entitled: "RELATING TO HEALTH";

House Bill No. 719 as Act 274, entitled: "RELATING TO ABANDONED MOTOR VEHICLES";

House Bill No. 801 as Act 275, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

House Bill No. 877 as Act 276, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER";

House Bill No. 945 as Act 277, entitled: "RELATING TO AGRICULTURAL PARKS";

House Bill No. 955 as Act 278, entitled: "RELATING TO CRIME";

House Bill No. 970 as Act 279, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 1079 as Act 280, entitled: "RELATING TO THE CONVERSION OF BUSINESS ENTITIES";

House Bill No. 1257 as Act 281, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

Senate Bill No. 1036 as Act 282, entitled: "RELATING TO PERSONS WITH DISABILITIES";

Senate Bill No. 1124 as Act 283, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS"; and

Senate Bill No. 1512 as Act 284, entitled: "RELATING TO THE UNIFORM PARTNERSHIP ACT."

Gov. Msg. No. 393, informing the Senate that on July 6, 1999, he signed the following bills into law:

House Bill No. 1496 as Act 285, entitled: "RELATING TO DEADLY OR DANGEROUS WEAPONS";

House Bill No. 1497 as Act 286, entitled: "RELATING TO SENTENCING";

House Bill No. 1522 as Act 287, entitled: "RELATING TO REAL PROPERTY APPRAISALS";

House Bill No. 1548 as Act 288, entitled: "RELATING TO WASTEWATER REUSE";

House Bill No. 1594 as Act 289, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES";

House Bill No. 1595 as Act 290, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES";

House Bill No. 1616 as Act 291, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 1617 as Act 292, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 1621 as Act 293, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 1628 as Act 294, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 1649 as Act 295, entitled: "RELATING TO THE CONVEYANCE TAX";

House Bill No. 1693 as Act 296, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

Senate Bill No. 889 as Act 297, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 896 as Act 298, entitled: "RELATING TO GUARDIANSHIP PROCEEDINGS";

Senate Bill No. 901 as Act 299, entitled: "RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND";

Senate Bill No. 1003 as Act 300, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

Senate Bill No. 1016 as Act 301, entitled: "RELATING TO ADMINISTRATIVE RULES";

Senate Bill No. 1262 as Act 302, entitled: "RELATING TO CAPTIVE INSURANCE"; and

Senate Bill No. 1421 as Act 303, entitled: "RELATING TO TAXATION."

Gov. Msg. No. 394, informing the Senate that on July 7, 1999, he signed the following bills into law:

Senate Bill No. 1034 as Act 304, entitled: "RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND"; and

House Bill No. 32 as Act 305, entitled: "RELATING TO AGRICULTURE."

Gov. Msg. No. 395, informing the Senate than on July 9, 1999, he permitted the following measure to become law without his signature:

Senate Bill No. 1325 as Act 306, entitled: "RELATING TO TAXATION."

**HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE**

Hse. Com. No. 736, returning S.C.R. No. 85, which was adopted by the House of Representatives on May 4, 1999.

Hse. Com. No. 737, informing the Senate that the House reconsidered its action taken on April 27, 1999, in disagreeing to the amendments made by the Senate to the following House concurrent resolutions and has on May 4, 1999, agreed to the amendments and adopted said resolutions:

H.C.R. No. 64, H.D. 1, S.D. 1; and
H.C.R. No. 237, H.D. 1, S.D. 1.

Hse. Com. No. 738, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House Concurrent Resolutions and has on May 4, 1999, agreed to the amendments and said bills were finally adopted:

H.C.R. No. 4, H.D. 1, S.D. 1;
H.C.R. No. 6, S.D. 1;
H.C.R. No. 9, H.D. 1, S.D. 1;
H.C.R. No. 47, S.D. 1;
H.C.R. No. 94, S.D. 1;
H.C.R. No. 220, H.D. 1, S.D. 1;
H.C.R. No. 232, H.D. 1, S.D. 1; and
H.C.R. No. 236, H.D. 1, S.D. 1.

Hse. Com. No. 739, informing the Senate that S.C.R. No. 184, S.D. 1, H.D. 1, C.D. 1, was finally adopted in the House of Representatives on May 4, 1999.

Hse. Com. No. 740, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 4, 1999, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 7, S.D. 1; and
H.B. No. 1188, S.D. 1.

Hse. Com. No. 741, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 1203, H.D. 1, and has on May 4, 1999, agreed to the amendments and passed H.B. No. 1203, H.D. 1, S.D. 1, on Final Reading.

Hse. Com. No. 742, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 4, 1999, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 98, H.D. 1, S.D. 1;
H.B. No. 970, H.D. 1, S.D. 1;
H.B. No. 971, H.D. 1, S.D. 1;
H.B. No. 972, H.D. 1, S.D. 1;
H.B. No. 973, H.D. 1, S.D. 1;
H.B. No. 1257, H.D. 1, S.D. 1;
H.B. No. 1616, H.D. 1, S.D. 1;
H.B. No. 1617, H.D. 1, S.D. 1; and
H.B. No. 1621, H.D. 1, S.D. 1.

Hse. Com. No. 743, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 4, 1999, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 877, H.D. 1, S.D. 1; and
H.B. No. 1124, S.D. 1.

Hse. Com. No. 744, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 4, 1999, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 77, H.D. 1, S.D. 1;
H.B. No. 248, H.D. 1, S.D. 1;
H.B. No. 310, H.D. 1, S.D. 1;
H.B. No. 746, H.D. 1, S.D. 1;
H.B. No. 842, H.D. 2, S.D. 1;
H.B. No. 1162, H.D. 2, S.D. 1; and
H.B. No. 1180, S.D. 1.

Hse. Com. No. 745, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 4, 1999, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 8, H.D. 1, S.D. 2;
H.B. No. 300, H.D. 1, S.D. 1;
H.B. No. 314, S.D. 2
H.B. No. 328, H.D. 1, S.D. 2;
H.B. No. 411, H.D. 1, S.D. 1
H.B. No. 424, H.D. 2, S.D. 2;
H.B. No. 440, H.D. 2, S.D. 2;
H.B. No. 519, S.D. 2;
H.B. No. 532, H.D. 3, S.D. 2;
H.B. No. 582, H.D. 2, S.D. 2;
H.B. No. 715, S.D. 1;
H.B. No. 753, H.D. 2, S.D. 2;
H.B. No. 797, H.D. 2, S.D. 1;
H.B. No. 898, H.D. 2, S.D. 1;
H.B. No. 980, H.D. 2, S.D. 1;
H.B. No. 985, H.D. 1, S.D. 2;
H.B. No. 997, H.D. 1, S.D. 1;
H.B. No. 999, H.D. 1, S.D. 1;
H.B. No. 1008, S.D. 2;
H.B. No. 1012, H.D. 1, S.D. 1;
H.B. No. 1035, H.D. 1, S.D. 2;
H.B. No. 1037, S.D. 1;
H.B. No. 1079, H.D. 3, S.D. 1;
H.B. No. 1153, H.D. 1, S.D. 1;
H.B. No. 1166, H.D. 1, S.D. 2;
H.B. No. 1170, H.D. 2, S.D. 1;
H.B. No. 1186, S.D. 1;
H.B. No. 1197, H.D. 2, S.D. 1; and
H.B. No. 1409, H.D. 2, S.D. 1.

Hse. Com. No. 746, informing the Senate that the following bills passed Final Reading in the House of Representatives on May 4, 1999:

H.B. No. 4, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 20, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 32, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 72, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 86, S.D. 1, C.D. 1;
H.B. No. 100, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 104, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 138, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 154, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 160, S.D. 1, C.D. 1;
H.B. No. 161, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 165, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 167, H.D. 3, S.D. 2, C.D. 1;
H.B. No. 170, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 171, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 172, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 177, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 212, H.D. 1, S.D. 1, C.D. 1;

- H.B. No. 221, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 252, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 260, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 266, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 273, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 274, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 294, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 307, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 325, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 326, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 333, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 336, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 351, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 377, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 460, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 499, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 500, H.D. 3, S.D. 1, C.D. 1;
 H.B. No. 522, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 547, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 562, S.D. 2, C.D. 1;
 H.B. No. 602, S.D. 1, C.D. 1;
 H.B. No. 634, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 635, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 661, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 700, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 719, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 743, H.D. 3, S.D. 1, C.D. 1;
 H.B. No. 765, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 806, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 827, H.D. 3, S.D. 1, C.D. 1;
 H.B. No. 850, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 854, S.D. 1, C.D. 1;
 H.B. No. 895, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 945, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 955, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 978, S.D. 1, C.D. 1;
 H.B. No. 988, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 989, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 990, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1017, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1020, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1028, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1038, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1085, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1086, S.D. 1, C.D. 1;
 H.B. No. 1088, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1095, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1115, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1117, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 1119, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1138, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1142, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 1146, S.D. 2, C.D. 1;
 H.B. No. 1177, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1178, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1181, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1183, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1198, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1277, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1280, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1296, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1361, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1401, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1416, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1450, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1454, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1471, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1496, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1497, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1522, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1575, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1594, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1622, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1628, S.D. 2, C.D. 1;
 H.B. No. 1637, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1649, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1663, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1664, H.D. 3, S.D. 1, C.D. 1;
 H.B. No. 1675, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1693, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1711, H.D. 2, S.D. 1, C.D. 1;
 S.B. No. 5, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 27, H.D. 1, C.D. 1;
 S.B. No. 36, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 40, H.D. 2, C.D. 1;
 S.B. No. 102, S.D. 3, H.D. 2, C.D. 1;
 S.B. No. 131, S.D. 3, H.D. 3, C.D. 1;
 S.B. No. 186, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 223, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 236, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 238, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 285, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 365, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 392, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 450, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 513, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 528, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 560, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 590, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 616, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 628, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 630, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 646, S.D. 2, H.D. 3, C.D. 1;
 S.B. No. 664, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 676, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 700, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 709, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 777, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 788, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 798, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 809, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 816, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 822, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 823, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 830, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 844, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 889, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 919, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 921, H.D. 1, C.D. 1;
 S.B. No. 942, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 947, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 951, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 953, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 957, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1018, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1024, S.D. 3, H.D. 1, C.D. 1;
 S.B. No. 1032, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1036, S.D. 3, H.D. 1, C.D. 1;
 S.B. No. 1079, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 1082, S.D. 2, H.D. 2, C.D. 1;
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 S.B. No. 1118, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1119, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1124, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1125, H.D. 1, C.D. 1;
 S.B. No. 1127, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 1128, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1129, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1144, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1145, S.D. 2, H.D. 2, C.D. 1;
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 S.B. No. 1229, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 1238, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1262, H.D. 1, C.D. 1;

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S.B. No. 1518, H.D. 1, C.D. 1;
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S.B. No. 1638, S.D. 2, H.D. 1, C.D. 1.

RULES OF THE SENATE

of the

TWENTIETH LEGISLATURE OF THE STATE OF HAWAII

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RULES OF THE SENATE
of the
TWENTIETH 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 Twentieth 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. Employees under the supervision of a Senate member shall be directly answerable to the Senate member. 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 and Vice-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 having co-chairs shall be Chairs. Committees having co-chairs shall not have a vice-chair. The first person named on committees not having co-chairs shall be the Chair, and the second member named shall be Vice-Chair. Either Chair or both of them on committees having co-chairs, as they shall agree, or the Chair of committees not having co-chairs, shall call meetings and preside.

(2) Whenever the word "chair" is used in these rules in reference to Committees having co-chairs, 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 Twentieth Legislature. The Standing Committees and their areas of jurisdiction shall be as follows:

(1) **Committee on Commerce and Consumer Protection.** 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 the public employees' retirement system and the Hawaii public employees health fund.

(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 and Technology.** 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; culture, historic preservation, and the arts; and use of information storage, transmission, processing, and telecommunications technologies by public agencies and institutions.

(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 policy, including procurement and government efficiency.

(5) **Committee on Health and Human Services.** 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; 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, families, and elderly population.

(6) **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; government records and information practices; individual rights and civil liberties; and programs relating to public safety and corrections.

(7) **Committee on Labor and Environment.** The purview of this committee includes programs relating to public officers and employees, labor, employment opportunities and training, labor-management relations, and collective bargaining; population; environmental quality control and protection, including litter control, recycling, wastewater treatment, endangered species, and hazardous waste.

(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, or to make recommendations to the President on issues of Senate policy. 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 include the number and title of the bills or resolutions, and brief descriptions and committee referrals of each of the subject matters to be covered, and 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 that 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. 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.