

TWENTY-SEVENTH DAY

Tuesday, March 7, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 10:13 o'clock a.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.

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. 52 to 132) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 52, transmitting H.B. No. 101, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 101, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," 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. 53, transmitting H.B. No. 536, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 536, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN 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. 54, transmitting H.B. No. 750, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 750, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 55, transmitting H.B. No. 1387, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 56, transmitting H.B. No. 1762, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," 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. 57, transmitting H.B. No. 1763, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1763, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," 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. 58, transmitting H.B. No. 1773, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1773, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 59, transmitting H.B. No. 1776, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1776, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," 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. 60, transmitting H.B. No. 1780, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1780, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 61, transmitting H.B. No. 1876, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1876, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Judiciary.

Hse. Com. No. 62, transmitting H.B. No. 1882, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1882, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 63, transmitting H.B. No. 1906, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1906, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO LICENSING OF PSYCHOLOGISTS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 64, transmitting H.B. No. 1909, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1909, H.D. 1, 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. 65, transmitting H.B. No. 1922, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1922, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 66, transmitting H.B. No. 1938, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1938, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 67, transmitting H.B. No. 1983, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1983, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 68, transmitting H.B. No. 2005, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2005, 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. 69, transmitting H.B. No. 2090, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2090, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 70, transmitting H.B. No. 2013, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2013, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH," passed First

Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 71, transmitting H.B. No. 2017, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2017, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 72, transmitting H.B. No. 2129, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," 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. 73, transmitting H.B. No. 2148, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," 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. 74, transmitting H.B. No. 2219, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2219, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 75, transmitting H.B. No. 2289, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," 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. 76, transmitting H.B. No. 2315, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2315, 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, then to the Committee on Judiciary.

Hse. Com. No. 77, transmitting H.B. No. 2356, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2356, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed First Reading by

title and was referred 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.

Hse. Com. No. 78, transmitting H.B. No. 2368, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2368, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 79, transmitting H.B. No. 2378, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2378, 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, then to the Committee on Ways and Means.

Hse. Com. No. 80, transmitting H.B. No. 2403, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," 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. 81, transmitting H.B. No. 2409, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2409, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," 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. 82, transmitting H.B. No. 2414, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2414, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 83, transmitting H.B. No. 2423, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 84, transmitting H.B. No. 2434, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2434, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 85, transmitting H.B. No. 2463, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2463, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 86, transmitting H.B. No. 2468, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2468, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 87, transmitting H.B. No. 2471, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2471, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 88, transmitting H.B. No. 2474, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2474, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 89, transmitting H.B. No. 2475, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2475, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 90, transmitting H.B. No. 2479, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 91, transmitting H.B. No. 2480, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2480, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 92, transmitting H.B. No. 2481, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2481, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 93, transmitting H.B. No. 2482, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2482, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 94, transmitting H.B. No. 2483, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2483, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 95, transmitting H.B. No. 2485, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2485, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 96, transmitting H.B. No. 2486, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 97, transmitting H.B. No. 2504, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 98, transmitting H.B. No. 2506, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2506, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," 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. 99, transmitting H.B. No. 2510, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," 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. 100, transmitting H.B. No. 2512, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," 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. 101, transmitting H.B. No. 2514, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2514, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," 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. 102, transmitting H.B. No. 2517, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2517, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 103, transmitting H.B. No. 2521, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2521, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," 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. 104, transmitting H.B. No. 2524, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," 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. 105, transmitting H.B. No. 2525, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2525, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 106, transmitting H.B. No. 2526, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed First Reading by title and was referred to the Committee on Labor and Environment.

Hse. Com. No. 107, transmitting H.B. No. 2530, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2530, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," 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. 108, transmitting H.B. No. 2531, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2531, 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. 109, transmitting H.B. No. 2536, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2536, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL 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. 110, transmitting H.B. No. 2551, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," 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. 111, transmitting H.B. No. 2559, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2559, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Transportation and

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

Hse. Com. No. 112, transmitting H.B. No. 2575, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF WATER RIGHTS," 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. 113, transmitting H.B. No. 2586, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2586, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 114, transmitting H.B. No. 2588, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," 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. 115, transmitting H.B. No. 2601, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2601, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 116, transmitting H.B. No. 2606, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2606, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 117, transmitting H.B. No. 2615, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," 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. 118, transmitting H.B. No. 2616, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2616, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed First Reading by title and was referred 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.

Hse. Com. No. 119, transmitting H.B. No. 2646, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 120, transmitting H.B. No. 2736, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2736, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTITY THEFT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 121, transmitting H.B. No. 2751, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2751, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," 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. 122, transmitting H.B. No. 2761, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2761, 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. 123, transmitting H.B. No. 2762, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2762, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 124, transmitting H.B. No. 2774, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2774, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," 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. 125, transmitting H.B. No. 2782, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2782, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," 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. 126, transmitting H.B. No. 2797, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2797, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 127, transmitting H.B. No. 2802, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2802, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF 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. 128, transmitting H.B. No. 2834, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2834, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGISLATIVE INTERNAL COMPUTER NETWORK," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 129, transmitting H.B. No. 2846, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2846, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 130, transmitting H.B. No. 2983, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2983, 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. 131, transmitting H.B. No. 2997, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 132, transmitting H.B. No. 3022, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3022, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CERTIFICATION," 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.

SENATE RESOLUTION

The following resolution (S.R. No. 20) was read by the Clerk and was deferred:

Senate Resolution

No. 20 "SENATE RESOLUTION PROJECT CITIZEN RECYCLING BIN PROJECT FOR KEAAU MIDDLE SCHOOL."

Offered by: Senators Matsuura, D. Ige.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2784) recommending that the Senate advise and consent to the nomination of ROBERT K.U. KIHUNE to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, in accordance with Gov. Msg. No. 168.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2784 and Gov. Msg. No. 168 was deferred until Thursday, March 9, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2785) recommending that the Senate consent to the nomination of RICHARD W. POLLACK to the office of Judge, 7th 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. 147.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2785 and Gov. Msg. No. 147 was deferred until Thursday, March 9, 2000.

ORDER OF THE DAY**RECOMMITTAL OF SENATE BILLS**

S.B. No. 2898, S.D. 1:

By unanimous consent, S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," was recommitted to the Committee on Labor and Environment.

S.B. No. 2899, S.D. 1:

By unanimous consent, S.B. No. 2899, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW," was recommitted to the Committee on Labor and Environment.

At 10:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

THIRD READING

S.B. No. 2711, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2924, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2935, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2106, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FUNDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2150, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2150, 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. 2666, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2666, 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. 2480, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2758, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2758, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2637, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2637, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS AND WITNESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2470, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 2470, 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. 3023, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 3023, 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.

S.B. No. 3133, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 3133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2485 (S.B. No. 2948, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2485 was adopted and S.B. No. 2948, S.D. 1, 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.

Stand. Com. Rep. No. 2487 (S.B. No. 2277, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2487 was adopted and S.B. No. 2277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2488 (S.B. No. 2296):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2488 was adopted and S.B. No. 2296, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2489 (S.B. No. 2925):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2489 was adopted and S.B. No. 2925, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2490 (S.B. No. 3049):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2490 was adopted and S.B. No. 3049, 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. 2491 (S.B. No. 3079):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2491 was adopted and S.B. No. 3079, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2492 (S.B. No. 3194, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2492 was adopted and S.B. No. 3194, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2494 (S.B. No. 2848):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2494 was adopted and S.B. No. 2848, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2495 (S.B. No. 2192, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2495 was adopted and S.B. No. 2192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWER PROTECTION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2477, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chumbley and carried, S.B. No. 2477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 2479, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chumbley and carried, S.B. No. 2479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE BOARD OF 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. 2830:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 2830, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2836, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 2836, 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. 2278, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2278, 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.

S.B. No. 2282, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2282, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2283, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2304, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2814, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2814, 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. 3190, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3190, 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.

S.B. No. 3192, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3192, 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. 2511 (S.B. No. 2040, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2511 was adopted and S.B. No. 2040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2516 (S.B. No. 2448, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2516 was adopted and S.B. No. 2448, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2517 (S.B. No. 2456, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2517 was adopted and S.B. No. 2456, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BLUEPRINT FOR CHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2519 (S.B. No. 2493, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2519 was adopted and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE 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. 2522 (S.B. No. 2658):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2522 was adopted and S.B. No. 2658, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2523 (S.B. No. 2856, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2523 was adopted and S.B. No. 2856, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2524 (S.B. No. 2873, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2524 was adopted and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 2526 (S.B. No. 3123, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2526 was adopted and S.B. No. 3123, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2527 (S.B. No. 2061, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2527 was adopted and S.B. No. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2529 (S.B. No. 2545):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2529 was adopted and S.B. No. 2545, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECOVERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2532 (S.B. No. 2971):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2532 was adopted and S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2533 (S.B. No. 2289, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2533 was adopted and S.B. No. 2289, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2535 (S.B. No. 2419, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2535 was adopted and S.B. No. 2419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2538 (S.B. No. 2074, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2538 was adopted and S.B. No. 2074, 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. 2540 (S.B. No. 2220, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2540 was adopted and S.B. No. 2220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF NUISANCE SEAWEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2541 (S.B. No. 2353, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2541 was adopted and S.B. No. 2353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2542 (S.B. No. 2432, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2542 was adopted and S.B. No. 2432, S.D. 1, 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. 2543 (S.B. No. 2484, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2543 was adopted and S.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID RECOVERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2544 (S.B. No. 2685):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2544 was adopted and S.B. No. 2685, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2545 (S.B. No. 2691):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2545 was adopted and S.B. No. 2691, 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. 2546 (S.B. No. 2751, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2546 was adopted and S.B. No. 2751, 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, 25. Noes, none.

Stand. Com. Rep. No. 2547 (S.B. No. 2764, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2547 was adopted and S.B. No. 2764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2549 (S.B. No. 2779, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2549 was adopted and S.B. No. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2550 (S.B. No. 2342, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2550 was adopted and S.B. No. 2342, S.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.

Stand. Com. Rep. No. 2551 (S.B. No. 2409, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2551 was adopted and S.B. No. 2409, 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. 2553 (S.B. No. 2482, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2553 was adopted and S.B. No. 2482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY BUSINESS TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2554 (S.B. No. 2530, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2554 was adopted and S.B. No. 2530, 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. 2555 (S.B. No. 2549, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2555 was adopted and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2559 (S.B. No. 2118, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2559 was adopted and S.B. No. 2118, 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. 2560 (S.B. No. 2843):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2560 was adopted and S.B. No. 2843, 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. 2561 (S.B. No. 2093, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2561 was adopted and S.B. No. 2093, 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. 2565 (S.B. No. 2571, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2565 was adopted and S.B. No. 2571, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 2566 (S.B. No. 2961, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2566 was adopted and S.B. No. 2961, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2568 (S.B. No. 3160, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2568 was adopted and S.B. No. 3160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2412, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2717, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2717, 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.

S.B. No. 2804:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2804, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2805:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2805, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2826, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2826, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2827:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2827, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE

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

Ayes, 25. Noes, none.

S.B. No. 2829, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3041, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3129:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3129, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2867:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 2867, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2906:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 2906, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2582 (S.B. No. 278, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2582 was adopted and S.B. No. 278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2583 (S.B. No. 2218, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2583 was adopted and S.B. No. 2218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2584 (S.B. No. 2475, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2584 was adopted and S.B. No. 2475, S.D. 1, 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. 2585 (S.B. No. 2722, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2585 was adopted and S.B. No. 2722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2587 (S.B. No. 2964):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2587 was adopted and S.B. No. 2964, 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. 2589 (S.B. No. 800, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2589 was adopted and S.B. No. 800, 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. 2590 (S.B. No. 2303, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2590 was adopted and S.B. No. 2303, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2593 (S.B. No. 2181, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2593 was adopted and S.B. No. 2181, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 2596 (S.B. No. 2736, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2596 was adopted and S.B. No. 2736, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2597 (S.B. No. 2915, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2597 was adopted and S.B. No. 2915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2599 (S.B. No. 2021, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2599 was adopted and S.B. No. 2021, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2600 (S.B. No. 2521, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2600 was adopted and S.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2058, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2604 (S.B. No. 2003, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2604 was adopted and S.B. No. 2003, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2607 (S.B. No. 2152, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2607 was adopted and S.B. No. 2152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2609 (S.B. No. 2522, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2609 was adopted and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO OFFICE OF INFORMATION PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2610 (S.B. No. 2536, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2610 was adopted and S.B. No. 2536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2614 (S.B. No. 2759, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2614 was adopted and S.B. No. 2759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 2616 (S.B. No. 2809, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2616 was adopted and S.B. No. 2809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2617 (S.B. No. 2933):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2617 was adopted and S.B. No. 2933, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2620 (S.B. No. 3177, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2620 was adopted and S.B. No. 3177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2621 (S.B. No. 3179):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2621 was adopted and S.B. No. 3179, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2622 (S.B. No. 2863, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2622 was adopted and S.B. No. 2863, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2623 (S.B. No. 2254, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2623 was adopted and S.B. No. 2254, 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. 2624 (S.B. No. 2815, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2624 was adopted and S.B. No. 2815, 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. 2625 (S.B. No. 2527, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2625 was adopted and S.B. No. 2527, 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, 25. Noes, none.

Stand. Com. Rep. No. 2628 (S.B. No. 2635):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2628 was adopted and S.B. No. 2635, 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, 25. Noes, none.

Stand. Com. Rep. No. 2629 (S.B. No. 2955):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2629 was adopted and S.B. No. 2955, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2436, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2436, 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. 2631 (S.B. No. 2930, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2631 was adopted and S.B. No. 2930, 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. 2632 (S.B. No. 2931, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2632 was adopted and S.B. No. 2931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2633 (S.B. No. 2847, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2633 was adopted and S.B. No. 2847, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2982, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2982, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2636 (S.B. No. 2869):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2636 was adopted and S.B. No. 2869, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2637 (S.B. No. 3051, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2637 was adopted and S.B. No. 3051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR EXPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2641 (S.B. No. 3038, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2641 was adopted and S.B. No. 3038, 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. 2642 (S.B. No. 2941):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2642 was adopted and S.B. No. 2941, entitled: "A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2114, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2405:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2405, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2645 (S.B. No. 2443):

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Stand. Com. Rep. No. 2645 was adopted and S.B. No. 2443, 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. 2646 (S.B. No. 2621, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Stand. Com. Rep. No. 2646 was adopted and S.B. No. 2621, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2725:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2725, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2903:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2903, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2904:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2904, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," having

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

Ayes, 25. Noes, none.

S.B. No. 2953, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 2953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OF VENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3100:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, S.B. No. 3100, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY INSTRUCTION PERMIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2654 (S.B. No. 2306, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2654 was adopted and S.B. No. 2306, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2655 (S.B. No. 2307, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2655 was adopted and S.B. No. 2307, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2562, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2562, 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. 2658 (S.B. No. 2866, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2658 was adopted and S.B. No. 2866, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2659 (S.B. No. 35):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2659 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2660 (S.B. No. 364, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2660 was adopted and S.B. No. 364, 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. 2661 (S.B. No. 2200, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2661 was adopted and S.B. No. 2200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2663 (S.B. No. 2446, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2663 was adopted and S.B. No. 2446, S.D. 2, 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, 25. Noes, none.

S.B. No. 2716, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2716, 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.

H.B. No. 164, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 164, S.D. 1, 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2667 (S.B. No. 2318, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2667 was adopted and S.B. No. 2318, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2668 (S.B. No. 2634, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2668 was adopted and S.B. No. 2634, S.D. 2, 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. 2669 (S.B. No. 3125, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2669 was adopted and S.B. No. 3125, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2670 (S.B. No. 2001, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2670 was adopted and S.B. No. 2001, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY 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. 2672 (S.B. No. 2465, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2672 was adopted and S.B. No. 2465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2438:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2438, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2870, S.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 2870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2683 (S.B. No. 2766, S.D. 1):

On motion by Senator Tam, seconded by Senator Matsuura and carried, Stand. Com. Rep. No. 2683 was adopted and S.B. No. 2766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2292, S.D. 1:

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, S.B. No. 2292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2690 (S.B. No. 2782, S.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 2690 was adopted and S.B. No. 2782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL MATERIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2693 (S.B. No. 2108, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2693 was adopted and S.B. No. 2108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2694 (S.B. No. 2110, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2694 was adopted and S.B. No. 2110, 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. 2695 (S.B. No. 2529, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2695 was adopted and S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE IN NORTH KONA, HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2702 (S.B. No. 2219, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2702 was adopted and S.B. No. 2219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2704 (S.B. No. 2572):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2704 was adopted and S.B. No. 2572, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2706 (S.B. No. 2576, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2706 was adopted and S.B. No. 2576, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2499, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2499, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2714 (S.B. No. 2490, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2714 was adopted and S.B. No. 2490, 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, 25. Noes, none.

Stand. Com. Rep. No. 2716 (S.B. No. 2857, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2716 was adopted and S.B. No. 2857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2717 (S.B. No. 3019, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2717 was adopted and S.B. No. 3019, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HEALTHY START PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2720 (S.B. No. 2112, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2720 was adopted and S.B. No. 2112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING 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. 2721 (S.B. No. 2742):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2721 was adopted and S.B. No. 2742, entitled: "A BILL FOR AN ACT RELATING TO PORK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2722 (S.B. No. 3199, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2722 was adopted and S.B. No. 3199, 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, 25. Noes, none.

Stand. Com. Rep. No. 2725 (S.B. No. 2523, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2725 was adopted and S.B. No. 2523, 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.

Stand. Com. Rep. No. 2729 (S.B. No. 2115, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2729 was adopted and S.B. No. 2115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2730 (S.B. No. 2426, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2730 was adopted and S.B. No. 2426, 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. 2731 (S.B. No. 2138, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2731 was adopted and S.B. No. 2138, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2732 (S.B. No. 2574, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2732 was adopted and S.B. No. 2574, 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. 2735 (S.B. No. 2411, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2735 was adopted and S.B. No. 2411, S.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.

Stand. Com. Rep. No. 2737 (S.B. No. 2459, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2737 was adopted and S.B. No. 2459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2740 (S.B. No. 2731, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2740 was adopted and S.B. No. 2731, 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. 2563, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2563, 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. 2748 (S.B. No. 2333, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 2748 was adopted and S.B. No. 2333, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2165, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2326, S.D. 1:

On motion by Senator Kanno, seconded by Senator Fukunaga and carried, S.B. No. 2326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2416, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 13:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO PROCESS SERVERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2755 (S.B. No. 3073, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2755 was adopted and S.B. No. 3073, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2756 (S.B. No. 2996, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2756 was adopted and S.B. No. 2996, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2374, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2374, 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. 2758 (S.B. No. 2352, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2758 was adopted and S.B. No. 2352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2759 (S.B. No. 2466, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2759 was adopted and S.B. No. 2466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER ACCESS BY MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2762 (S.B. No. 2075, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2762 was adopted and S.B. No. 2075, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2763 (S.B. No. 2163, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2763 was adopted and S.B. No. 2163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AEROMEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2764 (S.B. No. 2486, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2764 was adopted and S.B. No. 2486, 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. 2766 (S.B. No. 2858, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2766 was adopted and S.B. No. 2858, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2770 (S.B. No. 1427, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2770 was adopted and S.B. No. 1427, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 2771 (S.B. No. 2910, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2771 was adopted and S.B. No. 2910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2773 (S.B. No. 2877, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2773 was adopted and S.B. No. 2877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2775 (S.B. No. 2427, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2775 was adopted and S.B. No. 2427, 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. 2776 (S.B. No. 2433, S.D. 2):

By unanimous consent, action of Stand. Com. Rep. No. 2776 and S.B. No. 2433, S.D. 2, was deferred until later on the calendar.

Stand. Com. Rep. No. 2778 (S.B. No. 2838, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2778 was adopted and S.B. No. 2838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2783 (S.B. No. 2420, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2783 was adopted and S.B. No. 2420, 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, 25. Noes, none.

THIRD READING

By unanimous consent, the following bill was taken out of the order from which it was printed on the Order of the Day:

S.B. No. 2859, S.D. 1:

Senator Nakata moved that S.B. No. 2859, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Nakata rose in support of the measure as follows:

"Mr. President, it's with a great deal of satisfaction that I rise to speak in favor of this bill.

"This is a bill that arrived in the Senate chambers with lots of work to be done. And I say with pride that our Committees on Labor and Education, and then the Ways and Means Committee, have worked very hard on this bill. There's much work to do; it's still a work in progress, but we have produced a coherent bill which outlines the playing field. It's the foundation from which additional work can be done and will be done.

"I'd like to thank the members of both Committees. We have produced a bill with clarity. The dedication of the members of the Committees show in that work, in spite of still saying that this is a work in progress. Again, thanks to the members of those Committees and I commend this bill to you.

"Thank you."

Senator Slom rose in favor of the measure and said:

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

"I, too, want to thank the Committee chairman and members of the Senate Labor Committee. I think that we worked very hard to produce a good bill. We put in more than 30 hours, additionally, from the public hearings and from our regular committee work, to work on this bill. We made every effort to try to be inclusive, seeking input from the counties, from the state management, from the unions, from interested people who could make contributions to it. It is not a perfect bill, Mr. President, but I am confident it is a good bill, and it will go a long way to starting the process, which is so long overdue, to make civil service reform a reality.

"It is also a strong bill in comparison to the other chamber. It's something that each of us have individual disagreements with, in terms of parts, but I urge all of our members to support this bill, to get behind it, and to rally during Conference Committee. It can be easily explained and it can be justified in terms of what we're doing.

"Mr. President, I am confident that not only will we pass this bill, but at the end of this session, the 2000 Session and the State Senate will be remembered as the body that led the effort for meaningful civil service reform.

"Thank you, Mr. President."

Senators Kanno and Bunda then 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. 2859, S.D. 1, 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, 25. Noes, none.

**MATTER DEFERRED FROM
EARLIER ON THE CALENDAR**

THIRD READING

Stand. Com. Rep. No. 2776 (S.B. No. 2433, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2776 be adopted and S.B. No. 2433, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kanno 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. 2776 was adopted and S.B. No. 2433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**MATTER DEFERRED FROM
FRIDAY, MARCH 3, 2000**

THIRD READING

S.B. No. 2831, S.D. 1:

At 10:24 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 o'clock a.m.

By unanimous consent, action on S.B. No. 2831, S.D. 1, was deferred to the end of the calendar.

THIRD READING

S.B. No. 2146, S.D. 1:

At 10:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 o'clock a.m.

By unanimous consent, S.B. No. 2146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was recommitted to the Committee on Judiciary.

S.B. No. 2421, S.D. 1:

Senator Fukunaga moved that S.B. No. 2421, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose and said:

"Thank you, Mr. President. Please note my reservations on S.B. 2421, and I will be submitting remarks for the Journal."

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

"While generally supportive of the voluntary income tax check-off process, I vote with reservations on this bill because it requires the Tax Director to revise the tax forms, increases cost of collection, makes the Tax Department the collector and distributor of revenues for select organizations, does not say how these three groups -- Youth Conservation Corps, Youth for Environmental Services, and Sierra Club -- became the only recipients (what selection process was used?) and does not say whether other groups (and how many) could also qualify to be put on the tax form. If the process were fair and open to all groups, we would not need the Aloha United Way; we could have a tax form 20 pages long listing every group imaginable. It sets a bad precedent."

Senator Anderson also 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. 2421, 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, none. Excused, 1 (Chun).

At 10:26 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:29 o'clock a.m.

S.B. No. 2147, S.D. 1:

Senator Chumbley moved that S.B. No. 2147, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senators Taniguchi, Chun, M. Ige and Iwase 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. 2147, 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, 24. Noes, 1 (Kawamoto).

S.B. No. 2544, S.D. 1:

Senator Fukunaga moved that S.B. No. 2544, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose in support of the measure as follows:

"Mr. President, I'll be voting for this measure. However, I'd like to bring it to your attention that we have had the position for a budget analyst for many, many years.

"There are two bills pertaining to this particular issue. This one sets up staffing and other things. We also have one that gives you the dollar figure but neglects to mandate that we're going to make a recommendation and submit a name for the

budget analyst position. All that we are going to be doing is take away from the auditor the authorization to audit. That's the only thing that we're going to be doing on this particular bill, and I'm going to vote 'aye' because we need the budget analyst. We truly need that position. We need to make sure that the legislative analyst has proper staffing and the necessary dollars they're going to need. But when you're playing games and only trying to take away the rights of the auditor to audit, I think it's a shame.

"Thank you very much, Mr. President."

Senator Slom 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. 2544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE ANALYST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

S.B. No. 2668, S.D. 1:

Senator Chumbley moved that S.B. No. 2668, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

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

"The idea of the bill is to bring Hawaii law into conformity with the federal law. The problem is some of the subjective decisions that have been made by the chief elections officer in this state. And I'm particularly concerned about the question under federal law as to what to do with the list of non-eligible voters. That is who, if anyone, controls that list, what happens to them.

"I think we had several questions that arose during the 1998 elections when the Hawaii elections officer took certain names off, put certain names on, certain names were not available, because in the last decade or so, the chief elections officer, who serves by a 3-to-2 vote of the advisory council, has not drafted any administrative rules as required by Hawaii Revised Statutes to allow people to look into this.

"So I'm very concerned about this. It's not just a question of conformity with federal law. It's making the state elections officer conform to both federal law and also state law. So reservations, please.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2478 (S.B. No. 2387, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2478 was adopted and S.B. No. 2387, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2479 (S.B. No. 3159, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2479 be adopted and S.B. No. 3159, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"There was overwhelming testimony in opposition to this measure, including testimony from the Housing and Community Development Corporation of Hawaii (HCDCH), the Institute for Human Services (IHS), Homeless Solutions, and the Catholic Charities.

"I am pleased that the Government Operations and Housing chair has chosen to amend the measure. However, I am still very concerned about the people they are trying to help. In fact, this measure will probably hurt them.

"Tenants at HCDCH are protected by the United States Department of Housing and Urban Development (HUD) rules and regulations. Some of these regulations include a formal grievance procedure, a security deposit ceiling of \$150, a seven business day grace period, and the right to transfer to a larger unit as family size increases. All of these procedures are not required by the Landlord Tenant Code (LTC).

"We need to make sure our efforts support not only the tenants, but also entities and agencies like HCDCH, IHS and Catholic Charities who provide much needed safe and affordable housing.

"Thank you, Mr. President."

Senator Chun Oakland also rose to speak against the measure and stated:

"Mr. President, I also stand in opposition to this measure.

"The original bill eliminated the waiver for homeless shelters and public housing from the Landlord Tenant Code. The waiver provides an alternative grievance process and eviction hearing procedure for residents in public housing and homeless shelters.

"In the case of homeless shelters, the waiver also affords the linking of case management program agreements, personal goal setting, zero tolerance of alcohol and drugs, and shelter accommodation.

"Homelessness is not only about shelter, but about an inability to cope with one's life situation. An integrated response to homelessness produces positive results. In fiscal year 1999, 2,118 homeless persons were transitioned into permanent housing through the state homeless program.

"Although the original bill was amended to address concerns regarding the eviction process in public housing and homeless shelters, as was mentioned previously, it will still have a devastating impact on homeless shelters in its present form.

"Homeless shelters provide shelter as an adjunct to medical, psychological and social services. Hence, homeless individuals and families pay a program fee, which is supplemented by the homeless stipend payment. They do not pay rent, and they are not tenants equivalent to tenants covered by the Landlord Tenant Code.

"Program agreements -- like participating in substance abuse treatment, parenting classes, being in the shelter by 10 o'clock at night, which are all integral parts of a homeless client's stay at a shelter, as is the 24-month ceiling on his participation

before transitioning to permanent housing -- will be null and void under this bill.

"I appreciate the chair's efforts and interest in this regard. I do believe, though, that this measure will not assist.

"Thank you."

Senator Inouye rose to oppose the measure and said:

"Mr. President, will you record a 'no' vote for me, please.

"Mr. President, will you also include into the Journal the remarks of the Senator from Moanalua and the Senator from Alewa Heights through Puunui, as if they were my own. Thank you."

The Chair so ordered.

At 10:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:41 o'clock a.m.

The Chair, having requested the co-chairs of the Ways and Means Committee to recommit Stand. Com. Rep. No. 2479 and S.B. No. 3159, S.D. 1, by unanimous consent recommitting Stand. Com. Rep. No. 2479 and S.B. No. 3159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," to the Committee on Ways and Means.

Stand. Com. Rep. No. 2480 (S.B. No. 2429, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2480 be adopted and S.B. No. 2429, 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.

"Mr. President, I think I have risen for the last three years to speak against this bill in various forms -- the bill that seeks to provide hate crime legislation for Hawaii -- and each time I spoke, I suggested that there were problems with the bill, that the bill was too vague, too broad, was unenforceable and did more harm than good. This year, I'm speaking against the bill again.

"Even though there were some adjustments and improvements made, it still is a bad bill. It's not just me saying this, Mr. President, it's the Honolulu Police Department. They have submitted an additional statement saying that, 'after careful analysis, we are opposed to following sections of the bill,' and it's all sections other than Section 2 -- which they support and which enables the court to provide an extended term of imprisonment for qualifying offenders. What they are really concerned about is, number one, that they don't find any significant trend of incidence in Honolulu and therefore they're saying they're unable to justify the expenditures to develop a dedicated system to compile, track or analyze so-called hate crime data. In addition, they're saying, 'We believe that the definition of hate crime is too broad and problematic. We believe that the too broad definition of hate crime would apply to almost every crime committed, and the development of such tracking system would be an unjustifiable strain to the county police department's limited resources.'

"For these and other reasons, Mr. President, I urge a 'no' vote on this bill. Thank you."

Senator Inouye rose and said:

"Mr. President, a 'no' vote for me, please. Thank you."

The Chair so ordered.

Senator Matsunaga rose to speak in support of the measure and said:

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

"Mr. President, first, let me address some of the concerns raised by the previous speaker. Law enforcement officers routinely consider motives in the course of criminal investigations, and this bill would not increase their workload in that regard. As far as tracking and analyzing hate crimes, Hawaii is only one of four states in the nation that do not currently participate in the Hate Crimes Data Reporting Program. This information is crucial to understanding the scope of the problem, spotting trends and patterns, and preventing further violence.

"Mr. President, I have every confidence in our law enforcement officers. I believe that they are just as competent as law enforcement officers in the other 49 states. I believe they may be selling themselves short. I believe that they are fully capable of handling this important task. It's a shame that they have changed their minds. Testimony received by your Committee on February 2 indicated that they did support the intent, and they offered full support for including hate crime offenders under the criteria for extended terms of imprisonment. They did express concerns regarding the original language of the bill defining a hate crime as one predominantly motivated by hostility toward the included groups. However, we have amended the measure to address their concerns, and it now defines a hate crime as one where the defendant intentionally selects the victim because of hostility toward the included groups. Mr. President, this is very consistent with federal laws.

"Mr. President, I ask that my colleagues support this measure. Thank you."

Senator Sakamoto rose in opposition to the measure as follows:

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

"As the chair from Palolo was talking about the police testimony, my recollection of the hearing was that they were opposed to the measure. I guess, as far as intent, no one likes any crime.

"I support prosecution and punishment of all crimes, including those labeled as hate crimes. However, I have grave concerns about how our system will determine what are, in fact, hate crimes and that this label, which carries with it increased penalties, will in fact be misapplied. I believe that is what the police department is relating to in the Senator from Hawaii Kai's comments.

"Because Hawaii is a multi-ethnic society being forced to adopt to an American standard of politically acceptable behavior in language, even some of our most widely accepted, common, everyday language has been called racial slurs. Hate which does not exist is often attributed to the user.

"This measure allows for the same kind of misinterpretation. It requires police, prosecutors and judges to determine what's in a man's heart and mind. We must deal with the crime itself.

"Colleagues, theft is theft; murder is murder; violation of any of our citizens is no more or no less offensive because of the motivation and should be prosecuted accordingly.

"Thank you."

Senator Matsunaga rose again in support of the measure and said:

"Mr. President, I rise in support, just briefly to address the previous speaker's comments.

"Crimes motivated by hate are different, Mr. President. There is the special nature of an extreme expression of prejudice. Hate crimes attack the very core of a person's identity. Victims of hate crimes aren't selected because of what they possess or what they have done, but because of who they are. One study found that victims of hate crimes need more than twice the amount of time to overcome their ordeals as victims of other types of crime. Extended sentencing is appropriate for these crimes that tear apart the fabric of society.

"Mr. President, some hate crime offenders believe that they have society's implicit approval to engage in violence against particular groups. Hawaii has long had a reputation for race diversity. We must make it clear to those who would commit hate crimes here, that we do not approve. We support educational efforts aimed at increasing understanding and tolerance, but we must also send a clear message that hate crimes are not okay.

"Thank you."

Senator Anderson rose to oppose the measure and stated:

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

"Mr. President, when we first brought up the issue of hate crimes a couple of years ago, the focus was discrimination based on sexual orientation. First, it was argued the Legislature couldn't change the Constitution because it would hurt a particular group. Then we came up with a hate crime bill that was argued to be too broad, so it didn't protect anybody. And I said before, we look differently here at hate. I don't think we have the same severity of hate crimes. But if we keep putting in legislation like this, we're going to make criminals of a lot of people who hate one another because of the type of legislation that we put out.

"I can get annoyed and upset, but I don't hate anyone. And that's the problem that I think we have. Maybe on the mainland, problems of hate crimes are prevalent because they don't live within each other's culture, heritage, and understanding of one another. If we continue to look at what's happening in other areas, we're not doing a justifiable means to our own people.

"So I would hope that people would look at this and vote 'no' and try not to put pieces together where we divide the community.

"Thank you very much, Mr. President."

Senator Slom rose in rebuttal as follows:

"Mr. President, I would just like to add a few remarks in rebuttal to those that the good Senator from Palolo made.

"First of all, in terms of people changing their minds in discussing this issue with the police department, they didn't change their mind. I think the problem is that their comments were not taken in full value and they were misinterpreted. Secondly, there is nothing wrong with changing your mind if you have additional information and if you participate in the democratic process. I wish more than just the police would participate in our public service issues and particularly those that affect more than just pension and retirement.

"On the issue of expanded sentencing, I think we're all in favor of that, but what we've seen happen in this state is that we send somebody for an egregious crime to extended jail time, and then what we're faced with is a shortage of space and we're told that people must be let out because we don't even have the space to incarcerate them. So we're sending mixed messages.

"If we really want to get at hate crimes or any other crimes, then we have to punish the criminals. We're not doing that. We found ways of not completing the task. Let's do that first and let's concentrate on the cause of the problem rather than any symptoms.

"Thank you, Mr. President."

Senator Tam rose to support the measure and said:

"Mr. President and fellow colleagues, I speak in favor of this bill.

"Mr. President, on behalf of the Senate, I've been instructed by the Governor of the State of Hawaii to be a co-chairman of a multi-culture organization along with former Senator Ann Kobayashi.

"This bill is greatly needed because of the concern expressed by the different ethnic cultures. I don't know how you feel, but basically many residents in Hawaii feel that we are reverting back to the days of yesterday where the missionaries came to town and chastised many of the Asian cultures.

"And if I may add, this bill is more of a deterrent -- when we make strong laws, it deters people from committing crimes.

"Thank you."

Senator Chumbley rose to support the measure and stated:

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

"Members, crime is harmful to society. But crimes motivated because of hostility to a person's perceived race, color, religion, ancestry, gender, sexual orientation, age, or disability are especially destructive to society. They tear at the basic social fabric of our society, members. This bill makes a strong statement against such crimes by allowing the enhanced sentencing and the collecting of data.

"While I can appreciate the concerns of the City and County of Honolulu's Police Department on the issue of reporting and the burden that it may create, we heard no concerns from the Maui Police Department, the County of Hawaii Police Department, or the Kauai Police Department. Mr. President, we will listen to those concerns addressed by the police department, and as this measure goes forward, we can evaluate if that burden does indeed create undue hardship.

"In reference to a comment that the good Senator from Kalama Valley made, there was no misinterpretation of the police department's position on this measure. They sat at the table in front of us and testified; we questioned them; they supported the intent of the bill; and in their amended comments, they still support the enhanced sentencing provision. They simply have concerns over the reporting aspects.

"I urge all my colleagues to support this important measure. Thank you."

Senator Matsunaga rose again to support the measure and said:

"Mr. President, I rise in support again.

"Just so there's no misunderstanding, may I introduce for the record a copy of the City and County of Honolulu Police Department's February 2 testimony where they support the intent of the measure.

"Thank you very much."

The Chair having so ordered, the Honolulu Police Department's testimony reads as follows:

"February 2, 2000

The Honorable Avery B. Chumbley, Co-Chair
The Honorable Matthew M. Matsunaga, Co-Chair
and Members
Committee on Judiciary
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Chumbley and Matsunaga and Members:

Subject: Senate Bill No. 2429, Relating to Crime

I am Daniel Hanagami, Captain of the Criminal Investigation Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports the intent of Senate Bill No. 2429, Relating to Crime.

We agree that crimes and threats against persons because of their race, color, religion, ancestry, national origin, gender, transgender, sexual orientation, age or disability cannot be tolerated in a civilized society.

We fully support the including of hate crime offenders under section 706-662, Hawaii Revised Statutes, criteria for extended terms of imprisonment. We believe this will give the court the necessary authority to address these offenders at the sentencing stage of the criminal justice process.

However, we are concerned with the language used when defining 'hate crime.' The phrase on page 5, line 1, 'The crime was predominantly motivated by . . . ' is vague and is subject to varied interpretation which could lead to inconsistent application of the law.

Secondly, the above cited phrase, appears to conflict with line 11 on the same page. Here the phrase, 'any criminal act motivated, in any degree, . . . ' is used to define a 'hate crime.' We believe that the definition should be consistent throughout the bill.

However, we do not believe hate crime reporting is necessary in the State of Hawaii. The Hawaii Revised Statutes are currently being enforced fairly and equally throughout the state. A crime is a crime regardless of the motive. Therefore, all laws are enforced with this principle in mind.

We believe that if a convicted person is found to be a hate crime offender, the fairest way would be to address this at the sentencing stage of the criminal justice process.

Thank you for the opportunity to testify.

Sincerely,

/s/ Daniel Hanagami
DANIEL HANAGAMI, Captain
Criminal Investigation Division

APPROVED:

/s/ Michael Carvalho
for LEE D. DONOHUE
Chief of Police"

At 10:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:54 o'clock a.m.

Senator Sakamoto rose again and said:

"Mr. President, a short rebuttal.

"I guess in addition to the testimony from the chair from Palolo, we'll submit the testimony dated March 7 from the Police Department. They have objections to Sections 1, 3, and 4, and I'm not arguing each point, but just let me read one part of it and then I'll end.

"They're saying, 'Visitors, women and elderly who may not offer resistance are common targets of crime. Defendants who are merely greedy would be included as hate crime offenders. Ignorance, pride or anger may cause violence in traffic accidents, sporting events or workplaces,' similar to what we just saw on the TV news, Mr. President -- one race against another race; one age against a different age; a person being disabled not being able to defend themselves being a product of a crime for greed or for other issues. These are not necessarily the hate crimes we are targeting, but they'll be swept into the net. Sovereignty and Hawaiian emotional issues have oftentimes related to race or other issues, Mr. President. I don't think the intent is to sweep all of these as hate crimes, as the bill would propose to do, Mr. President.

"Thank you."

Senator Anderson rose again also and said:

"Mr. President, a short rebuttal.

"Number one, for my good colleague from Nuuuanu, he and former Senator Kobayashi are working on a particular cultural bill. I think I represent almost every ethnic group there is, not only in this building, but throughout this island state. My family is made up of those different ethnic groups, so I represent them. And I didn't see an overflow of people so concerned with this bill that they flooded our committee.

"As far as not having the other police departments there, if you remember, Mr. President, you just sent one of your committees to the neighboring islands and the people were overjoyed because they don't get to talk to legislators and voice their concerns very often. Not only do we hold committee hearings when the general public cannot participate, but most can't afford to attend. And that's a shame because we continually say we don't get the input from people. I don't know a committee chairman that holds committee hearings in the evening because they're concerned about a particular bill and they want the community input. Nor do we go to the different islands if we're so concerned about the input from outer island residents.

"I don't remember any group saying that they were having a hate crime put forth to them. We had a bill regarding computer type crimes and when asked, Have there been any? 'Not yet, but there will be later.' That's not a good reason to put a bill forth.

"Thank you very much, Mr. President."

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

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

"Mr. President, I've been hearing all the discussions and arguments from both sides, and I've also received the March 7th letter from the Honolulu Police Department which I give great weight to. But in all the discussions I keep on hearing that it is not a problem. There are no crimes. I would beg to differ with that. In fact, Kauai itself was faced with a hate crime violation just a couple years ago when somebody was

beaten in a park, solely because of his sexual orientation. That concerns me. When we have reached a time in our society when we beat up somebody or pick on somebody solely because of their sexual orientation or their religion or any kind of background like that, it disturbs me.

"But I do believe that the Honolulu Police Department does have a valid concern in terms of the reporting requirements. I believe that putting that kind of onus on the Honolulu Police Department and its detectives would be too much of a burden. I think that it would not help the situation but be confusing. I believe the better idea in terms of reporting this kind of crime would be to look at the conviction status and the conviction rates and depending upon whether or not the judge or jury in a given case determines that there was that reckless intent, then to label that kind of crime as a hate crime. But to allow the police to report it as a hate crime at the charging level would not be beneficial to anyone and would further confuse the issue.

"Mr. President, the committee did make some substantial changes from last year's bill. I think this year's bill is an improvement over last year's and urge my colleagues to support it with the understanding that it will go forward for further discussions with the House.

"Thank you, Mr. President."

Senators Bunda and Matsuura 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. 2480 was adopted and S.B. No. 2429, 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, 19. Noes, 6 (Anderson, M. Ige, Inouye, Kawamoto, Sakamoto, Slom).

Stand. Com. Rep. No. 2481 (S.B. No. 2533, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2481 be adopted and S.B. No. 2533, 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, I rise to speak in favor of the bill with reservations.

"What we propose to do in this bill is to add an additional fine or fee to someone because they have taken a deferred judgment or they have pleaded guilty. I believe it is disingenuous to claim as stated in the Standing Committee Report 2481 that a defendant who pleads guilty or accepts a deferred acceptance plea is receiving, quote, 'a substantial benefit' unquote. In fact, Mr. President, the substantial benefit may go to the taxpayer because the state does not have to spend the time and the resources prosecuting the defendant and ends up with the person legally responsible for the crime. If the matter were tried before a fact finder, the defendant, in fact, might have been acquitted.

"The report also states that the fee is relatively minor, and if that's the case, Mr. President, then we don't need the fee. So I'll speak in favor of the bill with reservations."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2481 was adopted and S.B. No. 2533, 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, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 2482 (S.B. No. 2883, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 2482 and S.B. No. 2883, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 2483 (S.B. No. 2905):

Senator Levin moved that Stand. Com. Rep. No. 2483 be adopted and S.B. No. 2905, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Slom rose to oppose the measure and stated:

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

"As one who fought the passage of this bill with various small business organizations over a period of six years until the bill was finally approved because it was slipped in as an amendment, we were given assurances at that time that this tax that was added to the unemployment compensation tax, which is only paid by employers, not by employees, which adds to the burden of our taxpayers and particularly small business taxpayers, we were promised, Mr. President, that the bill would sunset in five years. It was just a bill to derive revenue to help re-train. This was back in 1991.

"When it came time for the sunseting of this particular measure, the Department of Labor testified against the sunseting and the bill, in fact the law was extended and the tax was extended. After that, there was a short period of moratorium and there was another five-year period of sunseting. That five-year period of sunseting is up this year. Again, the Department of Labor has come in and said we don't want it to sunset, we want to extend the tax; we want to increase the burden on small businesses in this community. And so that's what this bill is doing today.

"No small business association or organization supports it. But I'll tell you who does support it -- some individual, individuals and individual businesses who have been the recipients of the largess that has come from the Department of Labor. They've taken it from a large group of businesses and they've handed it out to a small group of individuals. Those individuals like it because just like business, or any association large or small on the receiving end of a subsidy, they like the benefits. But they're not concerned about the cost, and the costs are an additional burden, as I mentioned.

"So, Mr. President, I think we should do what was promised and what is right, and that is to sunset this bill once and for all. I ask my colleagues to vote 'no' on this measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2483 was adopted and S.B. No. 2905, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 2484 (S.B. No. 2221, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2484 was adopted and S.B. No. 2221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 2486 (S.B. No. 2783):

Senator Fukunaga moved that Stand. Com. Rep. No. 2486 be adopted and S.B. No. 2783, 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 will support the bill with reservations.

"My reservations are these -- if in fact you improve the business climate, you don't have to have an additional state fund or additional state involvement in venture capital. Venture capitalists will flock. They will come to where there is opportunity. They will come to where there are level playing fields. They will come to where there is an opportunity for growth, expansion and income.

"We have to stop talking about having additional state funds and using taxpayer money and doing what we're supposed to do and that is improve this business climate so that, in fact, we can attract capital as we used to more than ten years ago.

"Thank you, Mr. President."

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I have reservations on the bill. I'm glad that what it says here is 'allows Employees' Retirement system to invest up to 10 percent of alternative assets.' At this particular time, the law allows the ERS Board to use its own discretion on these investments. If the bill is amended with 'shall,' then I shall go 'no.' But at this particular time, since it's just recommending that they might invest it if they so desire, I think I'll go along with the bill.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2486 was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT FINANCING," 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. 2493 (S.B. No. 2064):

Senator Chumbley moved that Stand. Com. Rep. No. 2493 be adopted and S.B. No. 2064, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak against the measure and said:

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

"I rise in opposition on two points. First, as you just heard the Clerk read, the title of this bill is so narrow that it prevents this legislative body from fully hearing, debating, and resolving the apparent problems posed by Section 327-13 (G) of the Hawaii Revised Statutes.

"Secondly, I believe the original intent of the statute was to provide a measure to protect the unborn child of a pregnant woman who is incapacitated. This issue is a complex one and the statute, which some claim is flawed, should be further discussed and clarified. But to enact S.B. No. 2064 before such a time is morally wrong.

"The intent of the legislation needs to remain until a more reasonable one can replace it, and that intent can only be enforced by the current legislation that this bill seeks to repeal.

"The child that a mother carries has rights -- rights given to it when the mother decided to carry it to term -- and those rights still need to be protected. We cannot in good conscience approve a bill that would cast away the protection of the unborn, simply to appease those who would turn this into a debate on a woman's choice of abortion. This is not the issue at hand.

"We need to fix this statute, but at the same time we still need to protect the child which this bill would jeopardize. I request my colleagues to oppose S.B. No. 2064.

"Thank you."

Senator Matsunaga rose to support the measure and stated:

"Mr. President, I rise in support.

"Mr. President, let me attempt to assuage some of the concerns of the previous speaker.

"Under the existing law, if pregnant women were included in Chapter 327E, as this bill attempts to do, and if the pregnant woman's health care directives or decisions did not specifically address health care in case of pregnancy, Hawaii health care providers would not automatically follow the terms of the health care directive or decision without considering the unborn fetus. Further, under existing law, and if pregnant women were included under this statute, even if a pregnant woman's health care directives or decisions stating that nutrition and hydration should be withheld, even if such withholding of nutrition and hydration would end the life of the unborn fetus, Hawaii health care professionals would still have the flexibility to consider the unborn fetus and, in all likelihood, would not follow those instructions if the unborn fetus were considered viable.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2493 was adopted and S.B. No. 2064, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Chun, Sakamoto).

Stand. Com. Rep. No. 2496 (S.B. No. 2672):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2496 was adopted and S.B. No. 2672, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2279, S.D. 1:

Senator Kanno moved that S.B. No. 2279, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

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

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

"I have a problem because a couple of the definitions are lacking in the bill. For example, the definition for high value, page 1, lines 5 to 6. The term appears to indicate a measurement of aesthetic or cultural importance.

"The main problem I have with the bill, though, is while certainly we have to protect our environment and we should use considerations for aesthetic and cultural values, we cannot neglect cost. The reason that our state is in the fiscal condition that it's in is because we always ignore costs. So I think that the two should go hand in hand. They're not mutually exclusive.

"Thank you."

Senators Iwase, Buen, Bunda and Anderson then 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. 2279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2811, S.D. 1:

Senator Kanno moved that S.B. No. 2811, 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.

"When we're talking about discrimination and now we're talking about motor vehicle insurance, what we're really doing in this bill is throwing out actuarial and risk tables, and in fact there are differences between and among people, between and among geographic locations within our state. To ignore this or to pretend that it doesn't happen is going against all of the statistical data that we have, so I'll vote 'no' on the bill."

The motion was put by the Chair and carried, S.B. No. 2811, 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).

S.B. No. 2819, S.D. 1:

Senator Kanno moved that S.B. No. 2819, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Tam rose for a conflict ruling a follows:

"Mr. President, I have a possible conflict of interest. I sell life insurance."

The Chair ruled that Senator Tam was not in conflict.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I'd like to speak for the bill with reservations.

"During the testimony, it was brought out that there is a number of measures that appear, particularly in the State of Iowa, that would take care of these problems without putting additional power in the state government and particularly in the Office of the Insurance Commissioner. I noticed that in the last couple of years we've been passing a number of bills, we've got more today, that continue to consolidate power in this office. So I suggest voting with reservations.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2819, 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. 2512 (S.B. No. 2059, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2512 be adopted and S.B. No. 2059, S.D. 1, 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 will support the bill, again, with reservations.

"Two of the reservations are: first of all, I think that the title of the bill does not correlate with the substance of the bill; and secondly, again we're passing a bill, enacting a law with no fiscal impact, no cost known. We are always putting the cart before the horse. We've got to learn how to figure out the cost first and foremost before we pass bills that are going to have an impact on all of our taxpayers.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2512 was adopted and S.B. No. 2059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE REFORM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2513 (S.B. No. 2062, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2513 be adopted and S.B. No. 2062, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"I believe in long-term care, long-term insurance. That's why I've served on the Joint Long-Term Insurance Committee for the last several years. The premise when we started out was that we were going to have a private market-driven response to the growing problem of long-term care. And in fact from the time that this committee was first formed, we have seen new measures, new products that have been introduced in the marketplace. We see the marketplace changing as there's more and more both a recognition of the need for this type of insurance and the demand for it among our population.

"What has troubled me is that the direction that the committee and this legislation is going now is back to the future, back to the time when the family hope tax state supported program was enacted.

"As I say, I will vote with reservations to keep the discussion going, but I caution my colleagues again that this would be the wrong approach to have the state getting involved in this or any other form of insurance.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2513 be adopted and S.B. No. 2062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2514 (S.B. No. 2247, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2514 be adopted and S.B. No. 2247, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure and said:

"Mr. President, I stand firmly in support of this bill.

"If it's not a conflict, I certainly would like to be considered a member of the temporary managed cat colony task force at some time in the future. As you know, my cat Smokey has given testimony here in the past.

"The feral cat problem is a serious problem and I was talking to my good friend, my colleague from the Big Island, just the other day because I was concerned about Rusty the orangutan who had been given a \$1 million subsidy several years ago, but unfortunately no habitat had been constructed for him. I'm just wondering if this bill is broad enough should Rusty not get his habitat on the Big Island and should he be released from the Honolulu Zoo, if we might, in fact, have a feral orangutan problem later on.

"So, I will support this measure because I think it goes a long way to solving one of our most serious problems.

"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. 2514 was adopted and S.B. No. 2247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2515 (S.B. No. 2320, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2515 be adopted and S.B. No. 2320, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose and said:

"Mr. President, W/R for the reasons that I gave on the previous long-term care bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2515 was adopted and S.B. No. 2320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2518 (S.B. No. 2489, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2518 be adopted and S.B. No. 2489, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose in opposition to the measure as follows:

"Mr. President, I stand in opposition to this bill.

"Mr. President, this bill, while laudable in its intent, basically tries to formulate a state owned insurance policy regarding brain injury. Even though it is something that's really interesting, and I think it might be necessary, I don't believe the state is in a position now, or in the future, to begin to insure proper treatment and rehabilitation of brain injury. Once we go down that road, there will be a never-ending cost involved.

"I believe the better way to handle this kind of situation is through the current way of either getting recovery through insurance policies or by attacking the problem in terms of people who drive drunk or who use our roads recklessly.

"Thank you."

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, I'm going with reservations.

"My concerns were much the same as my colleague from Kauai. Over the years, as you well know, we've reviewed a lot of bills that mandate motorcycle riders to use helmets. And we've found out that over the years your insurance increases. But if the state gets involved, and we find that this is definitely where most of the problem is, the cost has a pyramiding effect that won't quit. And it's not going to be just an insurance policy; it's going to be both.

"So for those reasons, I am concerned about the direction this bill will move."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2518 was adopted and S.B. No. 2489, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRAIN INJURY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chun).

Stand. Com. Rep. No. 2520 (S.B. No. 2494, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2520 be adopted and S.B. No. 2494, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"As you know, we had lengthy discussions last year, actually for the last two years, about the inability or refusal of the Department of the Attorney General to represent various state departments, state employees and state committees. The State Committee on Blind Vendors is one such committee. They have asked and sought legal help and assistance from the Attorney General and apparently have been denied. Now they want to go outside and hire additional private attorneys.

"We have a number of other bills that are coming up that would do the same thing. I spoke against these bills last year and I would remind my colleagues, particularly when we are looking at the credentials of certain people to be confirmed, that this is one of the things that we want to know -- What are the priorities of the Office of the Attorney General? And when they are supposed to do certain functions, why in fact don't they do them? Why are we forced to spend additional taxpayer money or additional monies to go outside to hire legal assistance?

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2520 was adopted and S.B. No. 2494, S.D. 2, entitled:

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2521 (S.B. No. 2579, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2521 be adopted and S.B. No. 2579, 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 against the bill.

"As you know, Mr. President, my tradition and trend over the past four years has been to vote against every new special fund created in this state, and I will do so again. Regardless of the merits of the measure, the overriding consideration is the fiscal policy and what we have done with special funds over the years. So I will be voting against all special fund bills today.

"I would remind my colleagues that the Tax Review Commission had said previously that using special funding is 'a departure from Hawaii's sound fiscal policies and should be avoided.' The commission also noted that special funds are appropriate where the revenues to the funds maintain some direct connection between a public service and the beneficiary of that service. This bill does not do that.

"Several years ago, the state legislative auditor reported that 'the tax is levied on the general public rather than specific beneficiaries of the program and thus the funds do not reflect a direct link between user benefits and user charges.' The Tax Foundation of Hawaii has testified against special funds saying that by moving current general fund resources into special funds, expenditures from the special funds will not be counted against the general fund spending ceiling, thereby circumventing the spirit, if not the intent, of this spending ceiling.

"Finally, we can all look at what is happened over the last couple of years and what is going to happen in a couple of bills proposed today. And that is, once we establish a special fund, we then find that we're in financial difficulties and we raid the special funds, taking the money from there and transferring it to the general fund. So as a precautionary measure and as something that I think is fiscally wrong, I will vote against this bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2521 was adopted and S.B. No. 2579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2525 (S.B. No. 2892):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2525 was adopted and S.B. No. 2892, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2528 (S.B. No. 2171, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2528 be adopted and S.B. No. 2171, 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 will speak for the bill with reservations.

"While we all want to help, and particularly in natural disasters, testimony at the hearing for this bill revealed that what was being sought was to utilize public employees to go to other states and other jurisdictions to participate in the help for their natural or other disasters. That's fine. What's being sought now is additional paid leave for those employees. They already are paid for the transportation, housing, and accommodations to go if they want to go. We are asking the taxpayers to foot the bill and not make these people volunteers, as such, or Good Samaritans, but to pay them in addition for what they're doing. And I would remind my colleagues that if the employee is gone for an extended period of time, the state may find it necessary, or the department, to hire an additional employee or employees to cover those particular assignments.

"So while the objective is worthy and we should all be good volunteers, it's a question of how much is the cost for volunteering in this bill.

"Thank you."

Senator Anderson rose to speak against the measure and said:

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

"Above authorizing a paid leave for the employees, it also empowers the governor or the mayor to grant up to 30 days of leave. Yet, they say that there will not be any liability cost. Now, I don't see how that's going to work out. If you can grant employees 30 days paid leave, and then turn around and deny them, I think it contradicts itself. So I'll be voting 'no.'

"Thank you."

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

"Mr. President, I'll be supporting this bill with reservations.

"Mr. President, this bill purports to authorize the granting of paid leave for disaster relief by county volunteers. I believe this bill is unnecessary. Current civil service laws, as flawed as they may be right now, currently allow the appointing authority of the employer to grant such leave.

"In addition, I agree with the comments made by the previous Senators that there will be some fiscal impact to this. If we start to mandate it by statute as opposed to allowing the county mayors, since they are the appointing authority in those jurisdictions, to do that, they will be running afoul of the constitutional provision requiring us to fund unfunded mandates. So rather than make it a mandate, the flexibility already rests in the hands of the appointing authority. They can do that if they decided, and they can fund it if they decided. For us to then mandate it as a part of a statute would potentially run afoul of the constitutional provisions.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2528 was adopted and S.B. No. 2171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 2530 (S.B. No. 2605, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2530 be adopted and S.B. No. 2605, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure and said:

"Mr. President, I'm very happy to stand and speak in favor of this bill. (Laughter.)

"This is a good bill. It is a bill that removes some ambiguity in the law and returns some fairness. It allows a 50 percent owner or greater in a business to exempt himself or herself from the unemployment compensation laws. It does not in any way affect the benefits or care of employees because this is paid for entirely by owners, and we're talking about owners with a 50 percent or more interest. So it's a good bill.

"Thank you, Mr. President."

Senators Kanno and Taniguchi 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. 2530 was adopted and S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:28 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.

Stand. Com. Rep. No. 2531 (S.B. No. 2652, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 2531 and S.B. No. 2652, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 2534 (S.B. No. 2312, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2534 was adopted and S.B. No. 2312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2536 (S.B. No. 2561, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2536 was adopted and S.B. No. 2561, 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. 2537 (S.B. No. 2808):

Senator Fukunaga moved that Stand. Com. Rep. No. 2537 be adopted and S.B. No. 2808, 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 speak on the bill with reservations.

"Again, we're providing additional legal counsel, staff attorneys, in the DCCA, and I think again this should be something that the attorney general's department takes care of.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2537 was adopted and S.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2539 (S.B. No. 2144, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2539 be adopted and S.B. No. 2144, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"The only problem I have with this bill is that upon the death of a candidate the residual contributions would go to the Hawaii Elections Campaign Fund. I would much rather see that the money goes back to the donors, as it does with a candidate who is no longer running for office, or that it goes to charity, rather than to the state government.

"Thank you."

Senator Taniguchi rose and said:

"Mr. President, please note my reservations along the lines of the Senator from Hawaii Kai."

The Chair so ordered.

Senator Sakamoto rose and stated:

"Similar reservations, Mr. President."

The Chair so ordered.

Senator Anderson also 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. 2539 was adopted and S.B. No. 2144, 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.

Stand. Com. Rep. No. 2548 (S.B. No. 2993, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2548 be adopted and S.B. No. 2993, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

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

"Sadly, I do speak in opposition to the bill because I know that there are a number of problems. A number of communities have suffered because of the lack of enforcement and lack of dedication by various state departments, and I feel for those

communities. But as I said in our Commerce and Consumer Protection Committee, the real problem here, the real culprit is the Department of Health. The Department of Health has not done what it's supposed to do. When it's supposed to undertake studies or research, it already reaches a conclusion before it's done any work. It doesn't respond to the people's concern. The Department of Health is very hard to communicate with.

"And so what we're really doing is we're saying we admit all of that; we know that. So what we're going to do is continue to reward the Department of Health by giving them everything that they want and, in addition to that, then we'll create a health consumer advocate within DCCA, add additional personnel, additional staff, additional money at taxpayers' expense.

"The governor wants us to be held accountable. He wants the teachers to be held accountable. If accountability is good enough for the teachers, it should be good enough for all public employees, all appointees, and every agency. So I'm voting 'no' on this bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2548 was adopted and S.B. No. 2993, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2552 (S.B. No. 2473, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2552 be adopted and S.B. No. 2473, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure and stated:

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

"The enactment of this legislation will finally give a voice to our small business community in the legislature.

"As you may be aware, Mr. President, Hawaii has long had the reputation of being hostile towards business. This legislation will go a long way toward reversing that image. We all know the importance that small businesses have in our community and on our economy. Passing this legislation will help our small businesses and it will help our economy by encouraging economic growth.

"This legislation has strong support from our community and is supported not only by our various small business organizations, but is also supported by our nationally recognized Small Business Regulatory Review Board.

"I therefore request my colleagues to join me in supporting S.B. No. 2473, S.D. 2. Thank you."

Senator Slom rose in favor of the measure and said:

"Mr. President, I timidly rise to speak in support, very strong support, of the bill because I don't know how many people will vote against it if I'm in strong support.

"But it is a good bill, although we've delayed for three years now the implementation of the small business regulatory reform and flexibility act. This was a key provision of that bill -- the appointment and funding of the small business defender and staff. We finally found a home for the defender. It will be in the Department of Budget and Finance. So I urge all my colleagues to support this measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2552 was adopted and S.B. No. 2473, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS DEFENDER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2556 (S.B. No. 2745, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2556 be adopted and S.B. No. 2745, 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'll be voting 'no' because it establishes the aquaculture development special fund for the reasons I've previously given.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2556 was adopted and S.B. No. 2745, S.D. 1, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2557 (S.B. No. 2005):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2557 was adopted and S.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2558 (S.B. No. 2109, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2558 be adopted and S.B. No. 2109, 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, Mr. President. Again we're adding legal counsel for yet another department, the Hawaiian Home Lands Department."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2558 was adopted and S.B. No. 2109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2562 (S.B. No. 2299, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2562 be adopted and S.B. No. 2299, S.D. 1, 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 this bill.

"This is a good bill that would provide the opportunity to prepare for the cruise ships that are coming in this year and the following years to come. It gives us the ability to improve our infrastructure and have the ability to improve in a timely manner our cruise ship terminals.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2562 was adopted and S.B. No. 2299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2563 (S.B. No. 2300, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2563 be adopted and S.B. No. 2300, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose in support of the measure as follows:

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

"Mr. President, this bill gives us the ability to improve, again, our infrastructure in the harbors in the cruise ship areas. It primarily gives the private sector an opportunity to be involved with the harbors, DOT, to privately improve the harbors and receive the future credits for fees that they are going to have to pay.

"Thank you."

Senator Tam rose to speak against the measure and said:

"Mr. President, I rise in opposition to this bill. If I may, I'd also like to add that this bill is in reference to my senatorial district.

"This bill allows the Department of Transportation and the Department of Land and Natural Resources to enter into cost reimbursement contracts with private developers for public improvements that cost up to \$2.2 million without legislative approval. Although we may have good intentions, this bill should not be passed for the following reasons:

1. HRS Section 266-52 allows the Department of Transportation, with the approval of the governor and without public bidding, to enter into a special facility lease which allows for improvements or renovations to be made to harbor facilities;
2. Section 266-55, HRS, further provides for special facility revenue bonds to be issued by the Department of Transportation for special facility leases, therefore the developer is not required to privately fund any improvements;
3. The proposed legislation gives too much away when it is not necessary;
4. Construction activities generated by the state is intended to produce more tax revenues, however, this bill does not;
5. This is a bill which will eventually place a greater burden on the public in the way of higher priced consumer goods, resulting from increased cargo and dock fees;
6. We should be reducing the burden of the consumer in order to generate more spending in our economy;

7. Cargo revenue represents 81 percent of the harbor special fund, which is sure to be depleted by tariff credits;
8. While this bill is expected to contain costs, it will increase costs up to the \$2 million level. As written, there is no incentive to keep cost down;
9. Turning to small boat harbors, current tenants of the Ala Wai Boat Harbor are concerned that too much commercialization will turn these quiet passive harbors into major traffic zones; and
10. Other tenants of small boat harbors are afraid that they will lose their berths to mainland interests who are not sensitive to the needs of the area.

"Thank you."

Senator Taniguchi rose and said:

"Mr. President, will you note my reservations on this bill also."

The Chair so ordered.

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

"Mr. President, I'll speak in favor of the bill with reservations.

"I have several problems with the bill as drafted. First of all, the idea of cost containment and cheaper/better is certainly something that I applaud. However, I don't see any definition or explanation for cost containment in the bill on page 2, line 1, and I've searched the Hawaii Revised Statutes and I can't find a reference to cost containment there specifically.

"In addition to that, I'm not sure how the Department of Transportation is going to communicate with and will know what the DLNR is funding and vice versa. And given the state's track record on no-bid contracts and particularly with certain appointees and their families, this bill appears to create the potential for mischief because of the non-bid aspect of it.

"And I guess, finally, my concern is that there is no oversight within 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, Stand. Com. Rep. No. 2564 was adopted and S.B. No. 2300, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Tam).

Stand. Com. Rep. No. 2564 (S.B. No. 3104, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2564 was adopted and S.B. No. 3104, 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. 2567 (S.B. No. 2509, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2567 was adopted and S.B. No. 2509, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2674:

Senator Nakata moved that S.B. No. 2674, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Chun 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. 2674, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL EMPLOYEE ORGANIZATION MEETINGS HELD DURING STATE WORKING HOURS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2769:

Senator Nakata moved that S.B. No. 2769, having been read throughout, pass Third Reading, seconded by Senator Chumbley.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator M. Ige rose in opposition to the measure and stated:

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

"Mr. President, in the Committee I did vote against this measure. We all support the reduction of greenhouse gas. We know that it's a global problem. But Mr. President, I believe that the question that we have asked is, At what cost? At what cost to ratepayers? At what cost to our state's gross product, personal income, and employment? And until we answer these questions, Mr. President, I do not believe we have enough information to make the reduction of this greenhouse gas a part of our goals and objectives and policy for this state.

"Thank you."

Senator Buen rose and said:

"A 'no' vote for me, please."

The motion was put by the Chair and carried, S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO REDUCING GREENHOUSE GAS EMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Buen, M. Ige). Excused, 1 (Chun).

Stand. Com. Rep. No. 2586 (S.B. No. 2837, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2586 be adopted and S.B. No. 2837, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator D. Ige rose to support the measure as follows:

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

"Mr. President, educational accountability has been one of the catch words of this session, and this measure before us

really does move the system toward a more accountable product for all of our constituents in the state.

"The Senate can be proud of making three improvements to the superintendent's accountability program. First, we've given him a deadline, because we believe that accountability should and must be implemented as soon as possible. Second, we're requiring assessments in core subject matters so that we can be certain that our students in our public school system are making progress in reading and writing and math and science. And third, we've mandated that the superintendent implement a collaborative process so that all stakeholders, including teachers, administrators, students, community members and parents are involved with designing an accountability system that we can all take ownership of.

"I urge all of my colleagues to vote in support of this measure."

Senator Kanno then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose to speak with reservations as follows:

"Mr. President, I'll be voting with reservations on this particular measure.

"I believe in accountability. We've been trying to hold all state employees and leaders accountable for years. But when we mandate accountability for students, principals, and the teachers, we should also mandate accountability for department heads. As my colleague said earlier, we don't hold them accountable for what they do. We don't hold the Department of Education accountable for the monies that we give them that they decide to restrict so it doesn't get funneled down to benefit the children.

"We don't hold ourselves accountable. The people who elect us will hold us accountable. So I believe that everybody here should be voting for this bill.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2586 was adopted and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2588 (S.B. No. 3141):

Senator Fukunaga moved that Stand. Com. Rep. No. 2588 be adopted and S.B. No. 3141, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam rose to speak on the measure with reservations and said:

"Mr. President, I wish to register my vote with reservations on this for the following reasons:

1. This bill is a bill for complete autonomy which is very questionable due to the fact that it's questionable whether the University of Hawaii is ready. There are no concrete University of Hawaii goals and objectives and no plans for implementation at this time, not even a drafted plan;
2. The University of Hawaii lacks the communication between the parties. When I say parties, I'm talking about administration, faculty, the students, etc. A lack of communication means a breakdown in partnership; and

3. The University of Hawaii has no other authority to raise funds other than student tuition. And therefore complete autonomy is impossible.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2588 was adopted and S.B. No. 3141, 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. 2591 (S.B. No. 2686, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2591 be adopted and S.B. No. 2686, 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.

"I think that the fine of \$500 is excessive and I think that there is no discussion about a window for paying bills late, and those people that are at low income and having difficulty paying the ever-increasing burdens we're putting on motor vehicle owners probably would have an even greater difficulty paying the \$500 fine."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2591 was adopted and S.B. No. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," 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. 2592 (S.B. No. 3201, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2592 be adopted and S.B. No. 3201, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose with reservations and said:

"Reservations please, Mr. President.

"I don't know what scenic byways are because it is vague and ill-defined in the bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2592 was adopted and S.B. No. 3201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2594 (S.B. No. 2513, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2594 be adopted and S.B. No. 2513, 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 to speak in opposition to the bill.

"A few years ago we doubled the conveyance tax and the justification or the excuse then was to improve the conveyance tax application and also to improve the computer system. Now what we're seeing that we do, as we've done in so many other areas, we raise the tax and then we find other areas to put the tax revenues, and then I would not be surprised if people come

back and say we need to raise the conveyance tax further. So I will be voting 'no.'"

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, Stand. Com. Rep. No. 2594 was adopted and S.B. No. 2513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE 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. 2595 (S.B. No. 2584, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2595 be adopted and S.B. No. 2584, 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, I rise to speak in support of the bill with reservations.

"A number of people in the area have supported the transfer for the Hawaii Community Development Authority to take over. My problem is in the testimony given and the questions that I asked during the public hearing. I'm very disappointed with the track record of the Hawaii Community Development Authority. They have not done what they said that they were going to do in Kakaako. They keep turning down developments but have nothing else to show for it. They have not listened to people within the area. But if the people in Barbers Point, a.k.a. Kalaeloa, would like to have them there, then I will pass the bill with reservations.

"Thank you."

Senator Kanno 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. 2595 was adopted and S.B. No. 2584, S.D. 1, 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. 2598 (S.B. No. 2917, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2598 be adopted and S.B. No. 2917, 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.

"Again it is another bill starting yet another special management fund within the department, and for the reasons previously given, I oppose it.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2598 was adopted and S.B. No. 2917, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

S.B. No. 2131, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2131, S.D. 1, 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, 23. Noes, none. Excused, 2 (Anderson, Buen).

S.B. No. 2194, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, Buen).

Stand. Com. Rep. No. 2605 (S.B. No. 2134, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2605 be adopted and S.B. No. 2134, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Taniguchi rose and said:

"Mr. President, would you note my reservations on this bill. Thank you."

The Chair so ordered.

Senator Iwase also requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I support the bill with reservations.

"My reservations basically are that while we certainly want to support our military, and they do pay an unequal burden in terms of the quarantine for animals, I think the larger issue is that we need a total reform of the quarantine effort so that the prices and the costs are reduced for everyone, because it is a hardship for local families as well.

"Thank you."

Senator D. Ige rose and stated:

"Mr. President, I'd like to note my reservations as well."

The Chair so ordered.

Senator Kawamoto rose in support of the measure as follows:

"Mr. President, I'd like to speak in favor of this bill.

"Mr. President, the CINC (Commander-in-Chief of the Pacific, all of the Pacific command -- Army, Air Force, Navy, Marine, Coast Guard) considers this his number one bill. Even in the article that we had a couple of days ago about Admiral Blair, this item came up as his number one concern.

"What we give to this bill is a small amount for what they give us, and we have a lot of bills in here relying on the military and their efforts. These people are called to serve their country in Hawaii, although it's a plush place, at a moment's notice

(which could be as little as 30 days' notice), and they cannot afford the price that's being paid at this time. A young enlisted E-3 makes \$1,400 a month and to have to pay \$1,200 for quarantine is far too excessive.

"Therefore, I urge my colleagues in support of the military to support this bill.

"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, Stand. Com. Rep. No. 2605 was adopted and S.B. No. 2134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (M. Ige). Excused, 1 (Anderson).

Stand. Com. Rep. No. 2606 (S.B. No. 2166):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2606 was adopted and S.B. No. 2166, entitled: "A BILL FOR AN ACT RELATING TO WIND FARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2608 (S.B. No. 2369, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2608 be adopted and S.B. No. 2369, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"The bill will allow retirees to make a withdrawal under certain hardship or emergency conditions. And I note that in the committee report it says that this was done because of the economic hardship and burden on people that are forced to contribute. One of the best ways that we could really help everybody, of course, is to reduce the tax burden so that more people would have more take-home pay.

"Absent that, however, I'm a little concerned by the bill because there is no pay back provision within the bill as to what happens after the money has been taken out. And it leaves it up to the board to develop rules later on in terms of the actuarial impact of the withdrawal. I think the actuarial impact should be determined before any withdrawal is allowed. So I'll vote in support with reservations.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2608 was adopted and S.B. No. 2369, 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, 23. Noes, none. Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2611 (S.B. No. 2654, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2611 be adopted and S.B. No. 2654, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose and said:

"Mr. President, I'd like to just have the comments I made on S.B. No. 2489, S.D. 2, incorporated into this bill. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2611 was adopted and S.B. No. 2654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chun). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2612 (S.B. No. 2675, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2612 be adopted and S.B. No. 2675, 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 in opposition to the bill.

"I'm going to be voting against this bill, Mr. President. I'm very concerned. We talk about ethics all the time and I'm concerned about the State Ethics Commission. It seems to be very selective in how it applies ethics rules and laws in this state, particularly when it comes to political personages.

"For example, during the 1998 election campaign, there were reported by the commission itself more than three dozen complaints about the incumbent gubernatorial candidate and activities that took place. To date, more than a year-and-a-half after the election, there has been no advisory opinions, no actions taken, no follow-up on the complaints made by citizens by the executive director.

"So I have a real difficulty with this position because while we're talking about ethics, I think ethics begin at home and we should have examples by the current commission rather than rewarding them with additional salaries.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2612 was adopted and S.B. No. 2675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Kanno, Slom). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2613 (S.B. No. 2692, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2613 was adopted and S.B. No. 2692, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kanno). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2615 (S.B. No. 2781, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2615 be adopted and S.B. No. 2781, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure as follows:

"Mr. President, I'd like to speak in support of this measure.

"As you know, Mr. President, construction is one of the backbones of our economy, and the enactment of this legislation will help to stabilize and strengthen this industry.

"I would like to add that I believe the tax credit needs to be higher, that we need to broaden the definition of a hotel facility, to decrease the qualifying minimum of one million dollars, and to really help more of the small and medium size businesses because they really can't benefit unless the bill is more broadly based, Mr. President.

"Because of the importance of the construction industry, I hope this bill goes forward, but consideration on broadening it can be looked at. Thank you."

Senator Slom rose for the bill with reservations and said:

"Mr. President, I will be voting for the bill, but with reservations for some of the reasons that my colleague has just expressed, but some additional reasons.

"One of the things that we had talked about this bill last year, the famous defective flawed bill, was that it should apply to more construction, more commercial construction, and that the time period should be longer. This bill, as it's drafted right now, ends December 31 of next year. And we've seen in the past when we've tried to provide credits as stimulation for the construction industry that there is a time that is necessary for the planning and preparation for major projects. This time, I think, is too short.

"One final comment, and that is, that this only applies to modifications and alterations in excess of \$1 million. If we really are concerned about cleaning up Waikiki, other areas, and having commercial renovations, then in fact we would have either no limit whatsoever or a much smaller limit than \$1 million. That way, smaller projects and smaller construction companies would be beneficiaries.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2615 was adopted and S.B. No. 2781, 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, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2618 (S.B. No. 3032, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2618 was adopted and S.B. No. 3032, 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, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2619 (S.B. No. 3043, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2619 be adopted and S.B. No. 3043, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

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

"If this bill is passed, Hawaii would be the first state in the nation to be a captive insurer. While we have done everything possible to encourage captive insurance companies and while I fully support that, I don't want to see the State of Hawaii in any more businesses. We haven't done a good job in the past and I

doubt that we'll do a good job in the future. And with so many private insurance companies available and with the interest in the industry, I think it would be incumbent upon us to make sure that it was privately insured.

"In addition to that, there is nothing in the bill that talks about the impact, staff costs or office costs of allowing the state to do this, so I will be voting 'no.'

"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. 2619 was adopted and S.B. No. 3043, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," 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. 2626 (S.B. No. 2918, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2626 was adopted and S.B. No. 2918, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING LICENSES," 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. 2627 (S.B. No. 1390, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2627 be adopted and S.B. No. 1390, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Matsunaga rose to speak in support of the measure and said:

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

"Mr. President, one thing that unites practically all adults in our state, in our country, regardless of age, gender, religion, economic status or ethnic background, is that deep down inside we all believe that we are above average drivers. Mr. President, unfortunately that's not true. And for anyone who drives regularly in Honolulu traffic, no one can doubt that road rage is on the rise. We've seen drivers who speed, weave in and out of lanes without signaling, follow too close, and exhibit other signs of aggression.

"Mr. President, this measure will help protect responsible drivers and their families, and I'd like to thank the Senator from Ewa Beach and the Senator from Nuuanu for bringing up concerns in their districts, and also the chair of the TIA Committee.

"Thank you, Mr. President."

Senator Tam rose and said:

"Mr. President, I wish to thank the chairmen of the Judiciary Committee for moving this bill forward, and a lot of mahalo from the residents of Nuuanu.

"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. 2627 was adopted and S.B. No. 1390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2441, S.D. 1:

Senator Chumbley moved that S.B. No. 2441, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

"Mr. President, I'll speak in favor of the bill with reservations. Lest it be said that I was partisan in any manner supporting the cat measure earlier today, let me speak in favor of this dangerous dog measure with reservations.

"My reservations are that we continue to criminalize through state or federal law more and more conduct and activities. And I notice that we hold the owner of the dog responsible and I think that's a good thing, but only for attacks on persons. If the dog were to attack another dog or another cat, for example, or any other pet, there's nothing in the bill that discusses that. So I do have reservations about that. I think all species should be treated equally in a bipartisan effort. (Laughter.)

"Thank you, Mr. President."

Senator Anderson rose and added his remarks as follows:

"Mr. President, I'll be going with reservations. There's no teeth to this bill." (More laughter.)

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

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

"I believe the intent of the bill is laudable because it makes a person more accountable for the actions of the dog. However, I believe it goes a little bit too far because it also defines attack as long as the dog just jumps on a person, and sometimes we all know that just the jumping of a dog does not necessarily mean that a dog is attacking or is unfriendly. In fact, one of my fellow colleagues has a dog which is pretty small and jumps on me all the time and I don't consider that an attack.

"So I believe there is the potential for this bill to go a little bit too far and to foment litigation as opposed to prevent litigation.

"Thank you."

Senator Matsunaga rose to support the measure and said:

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

"Mr. President, this bill will address a very real problem in our community which is that of the increasing number of dogs being trained or bred for protection and which, unfortunately, can also be used for intimidation or to harm others.

"For over a year now, the City and County of Honolulu has been wrestling with this issue under their authority to adopt ordinances related to animal control. However, they have been stymied with what they perceive as an inability to adopt an ordinance that supersedes the penal code provisions of assault. Therefore, we have been asked as a legislature to address this matter.

"Mr. President, I would like to address the comments of the Senator from Hawaii Kai who may feel that this is biased

against dogs. We did consider making this a dangerous animals bill to include those rare and exotic pet jaguars, those infrequent yet pesky pet tiger sharks, and those all too aggressive pet killer bees. However, we realized that we would also inadvertently capture the poor innocent peach faced love birds or the family geckos who may be attempting solely to nuzzle the visiting neighbor.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 2441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2638 (S.B. No. 2983, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2638 be adopted and S.B. No. 2983, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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. 2638 was adopted and S.B. No. 2983, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2224:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2224, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2640 (S.B. No. 2437, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2640 be adopted and S.B. No. 2437, 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. 2640 was adopted and S.B. No. 2437, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2643, S.D. 1:

Senator Kawamoto moved that S.B. No. 2643, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose to speak on the measure with reservations as follows:

"Reservations please, Mr. President.

"We had testimony that certain people don't like to use the term 'accident' because they don't believe that there is any such

thing as an accident and they would like to use the politically correct term 'collision.' Unfortunately, every traffic mishap does not result in a collision, and some of us still believe in accidents. I think that for comparison purposes we're going to have a very difficult time if we're trying to compare statistics between this state and other states that still use the term 'accidents.'

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2205, S.D. 1:

Senator Kanno moved that S.B. No. 2205, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Tam rose to request a conflict ruling as follows:

"Mr. President, I believe I have a conflict of interest. I am a board member of the Hawaii Chinese Museum."

The Chair responded:

"No conflict. You may vote on this matter."

The motion was put by the Chair and carried, S.B. No. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2657 (S.B. No. 2657, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 2657 be adopted and S.B. No. 2657, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Bunda rose to speak against the measure and stated:

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

"Mr. President, I'd like to clarify that I do recognize and acknowledge that diabetes is a serious health problem in Hawaii. What I am voting against, Mr. President, is circumventing Act 270 which we passed in 1996. Specifically, Sections 23-51 and 52 require us to ask the legislative auditor to conduct a social and financial assessment before we enact any legislation to mandate a health benefit. We enacted this law to help keep health care costs in check by providing a comprehensive review and study of the cost implications of any proposed health care mandate. There is value in this law, Mr. President, that we have a credible source like the legislative auditor. If we really do intend to exempt measures such as this bill before us, then perhaps we should consider repealing Sections 23-51 and 52.

"So, we say we want to help the small business owner and boost our economy, yet this proposed legislation is not being business friendly. This mandate will add to the cost of premiums paid by employers who already pick up the majority of costs for providing health insurance for their employees. Mr. President, where will all of this end?

"If we had done our homework and sensed the urgency of this legislation, then we should have passed a concurrent resolution last year and have a report on our desks this session.

I do believe that diabetics are currently getting the services they need to manage their disease. But before we mandate, let's first be accountable to the laws we enact and look at the comprehensive social and financial impact of this measure. We must have the information at hand in order to balance the needs of all consumers in this decision.

"For these reasons, Mr. President, I am voting 'no' on this measure.

"Thank you."

Senator Slom rose to oppose the measure and stated:

"Mr. President, I'm in concurrence with the remarks of my colleague from Wahiawa, and I would just like to add, though, that we're talking about a disease where about 1 percent of our population are afflicted right now -- not to diminish the seriousness of it -- but in many health plans pre-existing, the concerns are already taken care of. But a number of other concerns have been raised, including the fact that the requirement in the bill that all diabetes educators be certified public diabetic educators is not yet the case in the State of Hawaii, and so that would be a problem.

"The biggest problem of all continues to be the fact that we add mandates to the employer paid prepaid health care act, which when enacted in 1974 was supposed to be a partnership between employer and employee. It never was. Employers always picked up most of the costs and now in most cases pick up total costs. And in the time since 1974, we have continued to add mandates for all kinds of symptoms and diseases and facilities, but we have not changed the percentage share that employees could participate in at all since that period of time. So I'll be voting 'no' also.

"Thank you."

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

Senator Sakamoto rose to speak with reservations on the measure and stated:

"Mr. President, similarly, with reservations on the concerns expressed about if a study was required, let's do that."

Senators Anderson and Chun also 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. 2657 was adopted and S.B. No. 2657, 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, 21. Noes, 4 (Bunda, D. Ige, Iwase, Slom).

Stand. Com. Rep. No. 2662 (S.B. No. 2317, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2662 be adopted and S.B. No. 2317, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President, I'll vote in favor of the bill with reservations.

"And the reservations have to do with two things. First of all, when we pass the civil service reform bill, this bill will not be necessary. And in addition to that, this bill only applies to the City and County of Honolulu by the population mandate. If it's a good bill and if it's worthwhile for a pilot program, it should apply to neighbor island counties that wish to participate also.

"Thank you."

Senators Kanno and Hanabusa requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose in support of the measure as follows:

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

"Mr. President, this bill was a collection of ideas and minds, both the unions and the Board of Water Supply leadership. It's a pilot project, and any conflicts with the big civil service reform supersedes any conflicts in this bill.

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2662 was adopted and S.B. No. 2317, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," 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. 2666 (S.B. No. 2311, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 2666 be adopted and S.B. No. 2311, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

"Mr. President, this is the so-called 'Tanya Bill' or 'Tanya Act' and I will support the bill with reservations.

"The reservations are, again, that we continue to deprive adult citizens of choices and responsibility, and I'm a little confused in the bill as to if a person were not wearing a seat belt, who in fact would be cited -- the passenger or the driver. And finally, I think there is a real problem of enforceability in terms of back seat passengers.

"Thank you."

Senator Tam rose with reservations on the measure:

"Mr. President, please register my vote as W/R due to the fact of the ability to implement.

"Thank you."

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

"Mr. President, I will vote for this bill with reservations.

"My major concern on this bill is basically on the requirement of seat belts. We've had testimony indicating that lap belts by themselves are not sufficient and they oftentimes can be more dangerous to certain passengers than not even wearing seat belts to begin with. And I'm just thinking back upon the times when we were mandating, or other government agencies started to mandate, air-bags and that caused more harm than it is solving. I think we need to sit down and look at the situation on whether or not it is better overall for all passengers, including the ones in the rear seat, to wear seat belts.

"My second basis for voting on this bill with reservations is I think there needs to be a time where a person's responsibility needs to take over, and government needs to recognize that.

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and stated:

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

"Mr. President, there was a lot of testimony on this bill, a lot of which was positive, saving lives and in the interest of safety for people in the back seat. We have named it the 'Tanya Bill' because of the fact that the Shirai family had lost a daughter named Tanya in 1997.

"Therefore, I urge all my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2666 was adopted and S.B. No. 2311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2671 (S.B. No. 2467, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2671 be adopted and S.B. No. 2467, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak in support of the measure and said:

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

"Senate bill 2467 seeks to protect our citizens from unlicensed contractors who illegally take on contracting jobs, without providing the consumer the necessary assurance that they will competently do the job they were hired for, and those who fail to complete a job or do so inadequately.

"This measure clarifies that unlicensed contracting is an unfair and deceptive practice, establishes an administrative forfeiture of materials and tools, and requires the unlicensed contractor to reimburse moneys to the injured homeowner.

"I want to recognize the efforts of the Department of Commerce and Consumer Affairs for working continuously with the construction and building industry groups to develop an effective enforcement mechanism to protect the innocent homeowner. I believe this measure will work, and I urge your support."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2671 was adopted and S.B. No. 2467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2151, S.D. 1:

Senator Chumbley moved that S.B. No. 2151, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawamoto.

Senator Slom rose to speak against the measure and said:

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

"The premise in the legislation is that we need to strengthen our laws to prevent criminals and other prohibited individuals from possessing and using firearms. This bill will not do that. It will not prevent criminals from access to firearms or other weapons, and it will not necessarily prevent individuals who have mental incapacities.

"A couple of the things that we should understand about the bill -- first of all, in terms of criminals, since criminals don't obey the laws for registration right now, they're not going to be obeying the law to re-register. Secondly, they seem to have no difficulty in getting ammunition or access to firearms the way it is in Hawaii, which has the strictest gun control laws in the nation. In addition to that, if we're talking about giving the police or others an opportunity to re-examine people every five years in case they have mental problems and to give immunity to the doctors who examine them, we are presuming that the person with the mental problem will in fact seek medical help. I think that, again, is a false assumption.

"We are giving people the belief that we're doing something here about the serious crime problem, when in fact we're not. We're going after the innocent, law abiding, registered firearm owners who are not involved either in accidents or in crimes.

"The argument has come up frequently and repeatedly that since we have to re-register our automobile, it's only common sense that we should have to re-register a firearm which is a much serious device. The only flaw in that argument is that there is a very basic fundamental and constitutional difference between an automobile and a firearm. Under the United States Constitution, the Second Amendment, which I think was still in effect when we started this morning, an individual has the right to possess and utilize a firearm. The ability to drive one's automobile is a privilege that is granted. So we're not talking about the same level of exercising rights.

"In addition to that, what we are going to do is develop a data base of registered legal firearm owners in the state which will be available to the police and probably available to anyone else who wants it, and what we're further doing then is having more government incursion into the lives of those people who have not broken any laws, who have not violated any conditions to cause accidents or anything else. We further will have a mandatory identification card in order to get ammunition.

"I keep wondering why we keep talking about gun control and we don't talk about crime control. I keep wondering in seeing how people walk out of our prisons or never walk into them, how we allow people that have committed some of the most heinous crimes not even to be tried because of their so-called mental condition, no matter whether they've used a firearm or their hands or a knife or a hammer or something else.

"I think if we really want to protect the public, which is what government is supposed to do, then what we should do is enforce the laws that we have right now to the maximum extent possible, stop finding loopholes for people because of various conditions, and thirdly, to authorize an option for those people that want to take the responsibility of their own lives and the protection of their family and property in their hands by giving them an unfettered and unrestricted option. This bill does not do that. It is not a bill that expands freedom; it is not a bill that will deter criminals. It is a bill that will do more harm than good, and I cast my 'no' vote."

Senator Anderson rose and said:

"Mr. President, kindly put the words of the Minority Floor Leader in the Journal as though they were my own. I lost my notes somewhere, and it sounded good." (Laughter.)

Senator Hanabusa rose to oppose the measure as follows:

"Mr. President, I signed the original version of this bill, and I do believe in the registration of firearms. However, I cannot support the bill as it is now drafted.

"My major concern is in subsection (i) found on page 11 of the bill. This is where we basically mandate treating physicians to report to the police anyone who qualifies under sections (c)(1) to (c)(3). Mr. President and colleagues, this is not the

same situation as someone waiving the physician-patient privilege. We are requiring the physicians to, in essence, waive the privilege which he or she has no right to do. People are seeking treatment, but they shouldn't seek treatment with the fear that if their physician thinks they fall in any one of these categories, they're somehow going to be reported. For that reason, I cannot cast my vote in favor of this bill.

"Thank you, Mr. President."

Senator Chun rose in favor of the measure with reservations and said:

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

"Mr. President, I appreciate the comments from the Honorable Senator from Waianae. However, I believe that those kinds of issues can be talked about and discussed in conference as this bill progresses.

"Yes, I agree that section (i) specifically does run a substantial risk of violating, in fact it does violate, the patient-client privilege. However, I believe that there are other ways we can address these same concerns and at the same time not violate the privilege. Other suggestions have been made in terms of submitting a list to the physicians as to who owns handguns and then have the physician designate whether or not that person is under treatment or not, but not being specific as to the type of treatment.

"Mr. President, I think the Committee has done a laudable job in trying to balance the rights of all people involved and yet at the same time address the real, main concern of insuring that people who own handguns are mentally fit to do that. I know it is a delicate balance that they must do and they are attempting to do the best they can. And I think we must continue on this road to discovery and get a good bill out.

"Thank you, Mr. President."

Senator Sakamoto rose to support the measure with reservations and stated:

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

"This bill is an attempt towards solving the problem of criminal activity and wrongful firearms use. The re-registration requirements for firearms are reasonable compared to the original bill. However, the ammunition sales documentation being mandated is problematic. There may be excessive amounts of paperwork and processing that need to be addressed by both the authorized seller and the chiefs of police of their respective counties. These resources could be utilized better if we targeted illegal activity as opposed to legal.

"Thank you, Mr. President."

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

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

"Mr. President, I share the concerns expressed by the Senator from Waianae and the Senator from Kauai. In discussions with the Judiciary Committee, it is my understanding that this is a work in progress, that they intend to deal with this issue, and I am satisfied that they will be able to come up with a better approach. Therefore, I will be supporting the bill.

"Thank you."

Senator Buen rose to oppose the measure as follows:

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

"I think there are other ways to deal with criminals, to do background checks, and I think there are bills that Senator Slom and I had introduced earlier on identification cards that would do background checks. But to support this bill, I cannot do that.

"Thank you, Mr. President."

Senator Matsunaga rose to speak in support of the measure and stated:

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

"First of all, Mr. President, let me thank the constructive comments from the previous speakers who have expressed concern about the scope of this measure. Let me assure you that the Judiciary Committee will work hard on attempting to address those concerns as the Senator from Kauai pointed out.

"First of all, one of the issues raised was that Hawaii is already safer than most other states -- Why do we need more gun control laws? Hawaii does rank 49th out of 50 in total firearms deaths. However, we feel strongly that passing this legislation requiring re-registration, mental health affidavits, and presentation of firearm owner's identification cards when purchasing ammunition can do much to make the state's citizens even safer.

"Even though Hawaii is safer compared to many other states, we still experience gun violence. A gun is the weapon most commonly used to commit murders in Hawaii.

"Mr. President, I would also like to correct a misunderstanding of the Second Amendment. The Supreme Court has specifically addressed the Second Amendment's meaning in several cases, and the court has consistently ruled that the amendment applies to the rights of states to maintain militias, not the rights of individuals to keep and bear arms. Mr. President, no gun control measure has ever been struck down as unconstitutional on Second Amendment grounds. Federal courts have also consistently held that there is no individual right to own a gun. And may I direct this body's attention to the following Supreme Court cases: Presser v. Illinois, United States v. Miller, Lewis v. United States; and cases in the federal courts: United States v. Warin and Hickman v. Block.

"Mr. President, there is also an argument that only law abiding citizens are going to comply with gun control laws and that criminals will never be caught this way, but, Mr. President, unfortunately not all criminals are criminals from the day they are born. Sometimes criminals become criminals after being law abiding citizens. In Texas, which has a 'shall issue' concealed carry law, they have found that some people who comply with gun laws are also capable of having, unfortunately, a criminal intent. A study conducted in 1998 found that holders of concealed carry handgun licenses were arrested for weapon-related offenses at a rate 22 percent higher than the general population. Crimes for which they were arrested include murder, kidnapping, rape, and sexual assault.

"Mr. President, the comparison has also been made between motor vehicles and re-registration of guns, and I'd like to point out that legislation has made a difference in motor vehicle death rates. Laws requiring airbags, seat belts, and car seats for infants have greatly reduced the death and injury rates on America's roads.

"We have also heard the argument that the carrying of an identification card is inconvenient. Many laws are inconvenient, Mr. President. Opening a child-proof cap on a medicine bottle is inconvenient. Putting on seat belts may be inconvenient, but seat belts have been proven to save lives. Mr. President, just think how much more inconvenient it is to make funeral arrangements for someone you love.

"Thank you, Mr. President."

Senator Slom rose in rebuttal as follows:

"Mr. President, just a short rebuttal.

"While we could debate this -- and I'd be very happy at any time to debate the co-chair of the Senate Judiciary Committee because his information on the Second Amendment of the U.S. Constitution is faulty and his information on the Supreme Court cases on point is faulty -- and unless you'd like to stay for the rest of the afternoon, we could do it now or we can do it later. I'd like to do that.

"I want to correct the good Senator, because the good Senator started talking about concealed carry and this is not a concealed carry bill and has nothing to do with that.

"The good Senator also heard from Dr. John Lott who is the nation's number one expert on statistics and research involving firearms in the use of crime. And though he had but ten minutes before the committee and was not allowed to fully discuss all of the ramifications of the bills that were before the committee, I think that we can be very happy that we can look at those statistics.

"Also, the good Senator started talking about vehicular safety, and he missed my point. My point, again, was that there is a difference between the privilege of owning and driving an automobile and the right to own and utilize a firearm.

"In terms of the basic argument, however, about the militia, I can't let that go by because the good Senator, I know, learned a little bit about constitutional law in law school and the fact that the militia is a citizen's army and has nothing to do with an organized government army and that the whole purpose and basis and foundation of the United States Constitution is bars and restrictions against a government. It is for citizen responsibility and citizen representation, and I know the good Senator knows that.

"So, at any time, I would be very happy to enter into an extended debate on the issue of the Second Amendment foundation, or the Second Amendment issue, or the right to own and keep firearms.

"Thank you, Mr. President."

Senator Chumbley rose to speak in support of the measure and stated:

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

"The good Senator from Aina Haina mentioned the issue of concealed carry and I'd like to enlighten my colleagues on a few points that I found quite interesting.

"Some of the advocates say that the Legislature should be encouraging more and open gun ownership, and statistics show that more guns equal less crime. Well, Mr. Lott, who is the author of the book More Guns, Less Crime: Understanding Crime and Gun Control Laws, has testified and written widely against stronger gun laws. Mr. Lott's opinions clearly lack objectivity. He was formerly a John M. Olin Fellow in law and economics at the University of Chicago Law School. The Olin Foundation is connected with Olin Winchester, a leading North American Producer of firearms and ammunition. Lott also contributes significant online content to the Tennessee Firearms Association website. Mr. Lott is not a scientist; Mr. Lott is not a physician; and Mr. Lott is not a lawyer. He is a Doctor in Economics, and is currently a senior research scholar at the Yale Law School.

"I urge all my colleagues to support this measure."

Senator Matsunaga rose and said:

"Mr. President, a short rebuttal.

"I just want to thank the good Senator from Hawaii Kai for the challenge. I will be happy to debate him anywhere, any place, any time on this issue or on the basketball court, wherever he pleases.

"Thank you, Mr. President." (Laughter.)

Senator Anderson rose again and stated:

"Mr. President, if I may, on the bill, I've already said that I would go 'no,' but I sat in on the Committee and I listened to the testimony and yes, in fact, we're supposed to have one of the strongest firearm laws within the nation.

"The problem is that we react to problems. We don't really think and then act. We need to review current laws. It seems enforcement is an issue. I consistently hear a chairman state -- 'we're only going to use this bill as a vehicle; we can correct it later; we're going to have this bill go over to the House; the House will get the concerns.' The bill then becomes law. If we're passing bills out of committees just to use as a vehicle for an idea, then a resolution is what we need. Those are not laws. Resolutions can be amended like a bill. We can study the ideas presented and consider them. But don't play games by saying, this is a vehicle; we're going to correct it later. We correct nothing later!

"We have more laws in the books than is absolutely needed. We don't really change anything. The community gets baffled. When issues go to court, all of a sudden you find that a law abiding citizen is a bloody crook because of the sloppy laws that we pass that make unwitting criminals of tax paying citizens who are trying their best to survive in our island state.

"So thank you very much, Mr. President. I would hope that if we're going to have a law, it's one that will be for the people and not a law that will work against the people.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2151, 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, 18. Noes, 7 (Anderson, Buen, Hanabusa, M. Ige, Matsuura, Slom, Tanaka).

S.B. No. 2430:

Senator Chumbley moved that S.B. No. 2430, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun rose to speak against the measure and said:

"Mr. President, I stand in opposition to this bill.

"Mr. President, this bill is identical to the bill that was before us last year, Senate Bill 1151, with the exception that Senate Bill 1151 basically added public accommodations. Mr. President, last year I voted against this bill also, on two bases: One is, Why are we attempting to engage in a bill when this matter of discrimination in regards to housing is exactly before the Ninth Circuit today? And why are we bothering putting a bill which right now on its face conflicts directly with the Ninth Circuit Court of Appeals opinion? That's one reason. It doesn't make sense for us to do a law that contradicts on the day that we enact it with federal law.

"Second of all and more important is the fact that this bill tries to or does not even attempt to accommodate another

worthwhile First Amendment right -- and that is the right of religious freedom that all of us exercise and all of us, in fact, recognize.

"Mr. President, with those two things in mind, I find it difficult to understand why we are engaging in this.

"Going back to the first point -- the first point that there is an existing law in the Ninth Circuit that actually discusses the issue of public accommodations or, specifically, housing accommodations and its impact on a person's religious freedom -- in that case, in Alaska the court specifically held that such a state law is discriminatory against a person's religious freedom and set aside that state's law which prohibited somebody from renting out or which stopped somebody from renting out on the basis of their religious beliefs.

"My understanding of that case has been that the Ninth Circuit has held, has set aside the Alaskan ordinance, and also that case now is before a full panel of the Ninth Circuit. So I do not know why we are still continuing this process knowing that as of today, the Ninth Circuit, at least preliminarily, has held that that kind of statute is unconstitutional.

"Secondly, but more importantly, is that this bill does not even attempt to try to accommodate a person's religious freedom. The example given for this is that if a person has a room, maybe he or she has a house and in order to make ends meet they rent out that room in their house in order to provide for the education and welfare of their family. And so they open up that room in that one house for renting. Somebody comes in and the renter, basically whatever the renter does, violates the landlord's religious freedom and he says I cannot have you in this house because to do so would violate my religious freedom. This bill would turn around and say, 'Hey, we don't care about your religious freedom; we don't care about your personal house; we don't care about you being able to make ends meet. All we care about is that you have to rent to everybody, regardless of any kind of religious beliefs that you have.'

"Mr. President, I don't believe the Constitution of the United States or the Constitution of this State would be so strict and so unbending and so one-sided as to not, as we have said before, embrace the diversity of our culture. And I believe that for this bill not to include a recognition and some kind of balancing of a person's rights is a very defective portion of this bill.

"For those reasons, I will vote against this bill and urge my colleagues not to support it also.

"Thank you."

Senator Slom rose to oppose the measure and stated:

"Mr. President, hearing the words, the eloquent words of the good Senator and Majority Floor Leader from Kauai, I was just going with reservations, but I'm going to vote 'no' on the bill.

"Thank you."

Senator Sakamoto rose to oppose the measure also and stated:

"Mr. President, I rise in opposition to this bill.

"The march to seek approval for lifestyle choice flies in the face of our island culture where aloha is given freely and not mandated. Lifestyle is not a civil right. We should strive to live in harmony in our community, but it cannot be created by fear of litigation. We should love thy neighbor, not love thy neighbor."

The motion was put by the Chair and carried, S.B. No. 2430, 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, 18. Noes, 7 (Anderson, Chun, M. Ige, Inouye, Matsuura, Sakamoto, Slom).

Stand. Com. Rep. No. 2676 (S.B. No. 539, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 2676 be adopted and S.B. No. 539, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Tam rose and said:

"Mr. President, please register my vote as 'with reservations' for the reasons I stated along with S.B. No. 3141.

"Thank you."

The Chair so ordered.

Senator Inouye rose to speak in support of the measure and said:

"Mr. President, I initially had reservations with this particular bill, but I am now in support of S.B. No. 539.

"I would, however, like to send a clear message to the administration. First, the University's administration should consider allowing some autonomy to the community colleges and the University of Hawaii at Hilo campus. The enrollment at the Manoa campus has declined, while the community colleges and Hilo campus have been greeted with an increase in enrollment. Since these campuses have seen a rise in enrollment, I would like to see them gain some autonomy.

"Secondly, I would like to have the administration of the University consider transferring the College of Tropical Agriculture to the Hilo campus within the next five years. The College of Tropical Agriculture at the Hilo campus has seen a significant increase in its enrollment, while the Manoa campus' college has seen a decline.

"With these points taken into account, I will support the autonomy to the University of Hawaii.

"Thank you."

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

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

"As with my colleagues, I believe in moving the University toward autonomy, and I supported the bill that would do that statutorily. My concern is that this bill would raise it to a constitutional level. This is pretty much a one-way street, we will never be able to evaluate the ramifications of this measure and retreat in those areas where we think it might be appropriate.

"In the Ways and Means Committee, we determined that there were some 300 laws in our statute books that govern the University. I don't think that anyone has had an opportunity to evaluate or give serious consideration to what the impact of a constitutional amendment would have on those 300 statutes. We exercise influence over programs; over the various campuses; as my colleague from the Big Island pointed out, over what happens at UH Hilo; what happens within the community college system. To what extent will we be able to continue to have that kind of influence? Perhaps some feel that influence is not appropriate. I think that the role of the legislature is a valuable one in that regard. And for that reason, I think that we need to be cautious in this area.

"Maybe we need to rethink or at least be cautious and, therefore, I will vote in support, but I do that with reservations.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2676 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3031, S.D. 1:

Senator Kawamoto moved that S.B. No. 3031, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

At 1:37 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 Kawamoto rose in support of the measure and said:

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

"Mr. President, a couple of bills ago we talked about accountability. Here is a bill that we need to address accountability with the Department of Transportation. You, myself, the Senator from Mililani, the Senator from the Kapolei area, we all supported the zipper lane and that's taking \$30 million out of our highway funds. For you neighbor islands, just think, it's a highway fund; it's taking away monies from you folks, so I don't understand the opposition of this bill.

"But anyway, when we started off looking at the zipper lane, the Department of Transportation said, number one, it's going to help the commute of the Leeward side, and we are all in favor of helping the commute on the Leeward side. We started the Wikiwiki ferry; we started the shoulder lane; and this zipper lane was going to be a high tech zipper lane -- a contra-flow lane with protection. They promised 1,000 to 1,200 cars an hour. They promised my Pearl City constituents that although they're not going to have an opportunity to get in the zipper lane, because of the maximum use of the busses and the van-pools, they're going to have extra space on the commute lanes to get to downtown fast enough.

"I don't question the beginning of the zipper lane hours from 5:30 to 7:00. There could be 1,000 - 1,200 cars. I question, I question the 7:00 to 8:00 hour. They have not, DOT, for two-and-a-half years given me an account. They always say, 'From 5:30 to 8:00 they have 3,600 cars going through.' So, last week or two weeks ago I went up and counted those cars from 7:00 to 8:00. Many of you have seen my pictures. I have one here at 7:47 -- nobody in the zipper lane.

"Unfortunately, this year, the bus is taking an active role to fight against this bill. For three days, every bus rider -- every bus rider -- received a flyer to come to a hearing to oppose this zipper lane proposal. They claim they have 64 buses in those three hours. I counted in one day, 7 buses; another day, 10 buses. I have here a picture at 7:45 of the zipper lane. As you can see, there are not many cars in there. One bus in the zipper lane with no cars around it for as far as you can see.

"Again, we say accountability. I was one of them who supported the zipper lane. But in this hour of 7:00 to 8:00, the utilization of the zipper lane is non-existent.

"In my efforts to alleviate the Leeward to Honolulu drive, I suggest that we put cars with two or more passengers in the zipper lane to get cars out of the commute lane so that we can use the highway assets -- this asset is almost about one-fourth of the total assets we have on the highways coming back commute to Honolulu. So I ask my colleagues as a pilot project to allow two or more in the zipper lane from 7:00 a.m. to 8:00 a.m. It's not a threat to the bus, which they feel as though it's a threat.

"And again, you know, to spend \$30 million from the highway special funds to be put in an effort to alleviate traffic on the Leeward side, I say let's see if we make more use of the zipper lane.

"Thank you."

Senator Hanabusa rose in opposition to the measure and stated:

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

"Mr. President, there's no question that it's my constituents that are probably the most affected by the concept of the zipper lane, and it's my constituents that need the zipper lane. Mr. President, I have constituents who wake up at 4:00 in the morning to be sure that they are on the bus at the start point by Makaha so that they will have a seat all the way into Honolulu.

"The bus company is going to expand their fleet. They, of course, like any other governmental related entity, need the money to buy the articulative buses which we will see. And these articulative buses will be used in the zipper lane.

"But more importantly than that, Mr. President and my colleagues, the question is, What is the zipper lane there for? Yes, it's there to assist in the commute, but it's also there to try to change behavior. It is there to get people out of their cars and into other cars or other forms of transportation. That's the significance of the three or more. Look at what happened on H-1 when we reduced the number of the HOV from three to two.

"Members, this is not the time for us to go backwards and add in two in the zipper lane from 7:00 to 8:00 for one hour. How do you monitor one hour? What do you do if somebody is in the zipper lane at 6:57? Is that okay? Is that better than somebody who's in there at 6:45? The fact remains that the zipper lane is to basically reward those who will either get on the bus or put three in a car.

"My secretary uses the zipper lane. She swears by it. She may be one of the few cars that Senator Kawamoto saw going by, but she abides by it. This is what we need to do to begin to change the behavior of all the people who do commute.

"Think about the environmental issue. That's one more car, arguably, off the road, or two more if we keep on the three. Maybe it will get to the point where there'll be more people using van pools or more people commuting together.

"Mr. President and colleagues, now is not the time to fool with the zipper lane. Let it continue. It may be only two years or two-and-a-half years, as Senator Kawamoto states that it is. The fact remains, we may take a longer time, but this is an issue that affects those of us in the rural communities and we need to have it maintained.

"Thank you."

Senator Iwase rose to speak against the measure and stated:

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

"First of all, Mr. President, I'd like to congratulate the Senator from Waipahu. We have gone back and forth over this, and at the hearing -- because in the face of total opposition to the bill, he's decided to move it forward -- I referred to him as the 'opihi.' (Laughter.) And as the Senator from Manoa said, 'Yes, even in the face of a tidal wave, he sticks to the rock.' And this is, basically, what we have here. And I want to commend him for his tenacity as a pit bull and a bulldog and all that other stuff.

"But I do want to echo the words of the Senator from Waianae about the purpose of the zipper lane. It is not to move cars; it is to move people. And that means to put more people into fewer vehicles so that we can move into town; it would free flowing traffic as best as it can be.

"I want to also point out, looking at it today, that the Central/Leeward area on this island is the only area scheduled for growth on Oahu -- not Hawaii Kai, not Windward Oahu, not Downtown Honolulu. If there is a population growth in any of those areas, it is because people are making babies. If there are more cars, it's because the children have grown up and have bought automobiles. But new people are moving to Leeward and Central Oahu. There is no other transportation alternative for us -- we do not have rapid transit; we do not have mass transit. We need to get people out of cars -- more people into fewer cars -- in order for that system to survive.

"Finally, the Senator from Waipahu had pointed out, I think his words were that 'utilization of the lane in his pictures was non-existent.' I'd like to point out what the DOT testified to us: over six weeks of the year 2000, during the period in question, from 7:00 to 7:30 a.m., 601 cars; 7:30 to 8:00 a.m., 239 cars. This is to be contrasted to the peak hours which is like from 6:00 to 6:30 and 6:30 to 7:00, 650 cars, 727 cars. And therefore, from the period from 7:00 to 7:30, we have almost as many cars as the peak hours.

"The good Senator from Waipahu also went out and did his own survey. He took the pictures and he must be commended for that. In a two day period he dragged himself out of bed and put himself into that blue bomb of his and he drove over the overpass, looked down on that traffic and snapped photographs minute after minute. The first day he went, 235 cars from 7:00 to 7:30 a.m.; from 7:30 to 8:00 a.m., 100 cars for a total of 236. That's one day. Two days later he went out at the behest of the committee in that blue bomb of his, standing over that freeway, on that overpass, daring cars to drive under him. From 7:00 to 7:30 a.m., 330; from 7:30 to 8:00 a.m., 170, for a total of 500 cars. And in that two day period, the good Senator showed that there was a 100 percent increase in traffic in the zipper lane, and that is why we should not pass this bill.

"Thank you, Mr. President."

Senator Slom rose in support of the measure and said:

"Mr. President, I'm going to stand shoulder to shoulder, zipper to velcro, with the good Senator from God's country.

"I think that several of the arguments that were made -- What do we do about the time 7:00 to 8:00, suppose it's 6:57 or it's 8:02? -- we also have that problem right now in terms of the use of HOV lanes. We have times and there are people who come early or come late or whatever, and we do have certain remedies for that.

"As far as keeping cars off the road by the use of the zipper lane, we're not keeping them off the road. We're just keeping them to the right side or the left side of the zipper lane when the buses go down.

"Thirdly, in terms of changing people's minds, it's a lot better to change their minds voluntarily and give them something to voluntarily go to, than to punish them or to keep them from going to something that they want to use.

"We are basically a one-passenger or no-passenger car state because of the way we live. The fact that because the Legislature keeps the taxes and the regulations in the government so high, we're forced to have so many jobs. And we have a reliance on child care and we have to take our kids to soccer, and to baseball, and to piano, and to tae kwon do, and everywhere else all around. And it makes it extremely difficult, so we are dependent on our automobiles.

"And the fact of the matter is that everybody is being taxed to pay for these zipper lanes but they're being denied the use. They're being taxed in fuel tax. They're being taxed for registration and everything else.

"And finally, Mr. President and colleagues, I plead with you. I beg you. Support this measure. Get the Senator off the highway before something happens to him. (Laughter.)

"Thank you."

Senator Inouye rose to speak in opposition to the measure and said:

"Mr. President, I'd like to speak in opposition to the measure.

"Mr. President, I sympathize with all those who travel on the highways here on Oahu. But I do not believe that this is the legislation that we should be looking at today. If this issue were taken up by resolution instead, I could support it.

"As legislators, we always talk about the problems interfering with areas beyond our reach. I have reservations because we did not receive the support of the Highways Chief, Mr. President.

"I believe that, yes (for the Senator from Mililani), I will continue to keep my vote 'no' on this bill.

"Thank you."

Senator Kawamoto rose again in support of the measure and said:

"Mr. President, I just want to say that for three years we've been trying to do this. When we put up the zipper lane we had complaints about the fact that it was three or more. Many of you know that. We had discussion workshops. Again, the idea was for him to look at three or more and see what the capabilities and what the usage would be. You know, it's been two years after we asked him the first question. We asked him last year in a resolution. That didn't work. This year we're asking. We passed a bill and maybe we'll mandate the fact that we have this trial period for two years and see if it doesn't help the commute traffic from the Leeward side.

"Thank you."

Senator Kanno rose to speak against the measure and stated:

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

"I'd first like to thank and express our appreciation to the Senator from Waipahu for all of his efforts in trying to alleviate the traffic congestion that Leeward Oahu residents face each and every day.

"When the idea of the zipper lane was first proposed, there was a lot of skepticism raised because our state had never seen such a contraption before. People said, 'Why do we want to go in this lane just to be deposited into the traffic in the Keehi area near the airport? We're just getting to the traffic jam sooner than we would otherwise.' The most amazing thing happened when the zipper lane opened, there was not one complaint that I had heard from people, because it was working. And to this

day, I don't believe my office has received one complaint call about the operation of the zipper lane except on those days, this past Christmas break, when it was not open because of maintenance work.

"If it's not broken, don't fix it. I ask my colleagues to consider that as we look at the operation of the zipper lane.

"We've been contacted by constituents asking us to vote against this bill, and I will be voting against this bill. I would like to beg the indulgence of my colleagues, if I could read briefly from the committee report: 'Testimony in opposition to the measure was received from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Oahu Transit Services, Inc., Hawaii Teamsters Local 966, Leeward Oahu Transportation Management Association, and 11 private individuals. Two petitions with numerous signatures were also received by your Committee in opposition to the measure.'

"I'd like to note that nobody testified in support of the measure, and I ask my colleagues to vote 'no.'

"Thank you."

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:04 o'clock p.m.

Senator Tam rose in opposition and said:

"Mr. President, I'm casting my vote as a 'no' vote in regards to this bill.

"The question before us is having the people fully use the zipper lanes and the HOV lanes. I believe that what is really needed is for the Department of Transportation to start marketing their zipper lanes and HOV lanes in terms of the use, rather than we enact any type of legislation. If I may relate in terms of the state administration, state government is very poor at marketing the public services.

"Thank you."

Senator Sakamoto rose to oppose the measure also and said:

"Mr. President, I rise in opposition to the bill.

"I agree with our colleagues from Waianae and Mililani that there is a purpose, and I sadly vote against my former co-chair because when we were co-chairs but a short time ago, we just passed this measure. So, for the chair to be talking about a study when this effort is still in its infancy and has yet to blossom, would be a bad thing, Mr. President.

"Thank you very much."

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I'm going to vote for this bill with reservations.

"I think that when the Legislature demands a study, it's not going to bring the world to an end. About two years ago we said that we should study the feasibility of rail, a mass transit system to Waianae that would provide service to Honolulu. Many people didn't even want to consider or discuss this option. Now we're worried about two people in a car, three people in a car, when that zipper lane is used for three or more people, or when it should be open to all vehicles.

"I, too, am concerned on what the good Senator from Waianae stated about the Leeward residents getting up early to commute to town. I most certainly believe that if two people

are in a car and that car can't use an empty lane, it's absolutely ridiculous. The more people you can move through traffic faster, the better.

"Thank you very much, Mr. President."

Senator Taniguchi rose and said:

"Please note my reservations on this bill, Mr. President."

The Chair so ordered.

Senators Bunda, Chun, Chumbley, Matsunaga, Nakata and D. Ige then 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. 3031, S.D. 1, 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, 14. Noes, 11 (Buen, Chun Oakland, Hanabusa, M. Ige, Inouye, Iwase, Kanno, Matsuura, Sakamoto, Tam, Tanaka).

S.B. No. 2316, S.D. 1:

Senator Kawamoto moved that S.B. No. 2316, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, it's all anti-climatic now. We've had the major issue of this session, and I think my alliance with the Senator from God's country is about to come to an ignominious end. I'm speaking against this bill.

"The bill would require that drivers' license exams be printed in languages to accommodate those that can neither read nor write the English language at the present time. The bill is flawed to the max. It's got a number of problems, not the least of which is, How many languages are we talking about? The bill talks about groups that comprise more than a 10,000 population in the state. It does not, however, talk about dialects within languages. It does not talk about what the cost will be for the printing. It does not talk about the added revenue resources necessary for the counties to bear the cost.

"But more importantly, Mr. President, I'm concerned about this because if we're going to make an exception and say that this current group of immigrants, a small group represented by one organization, needs special treatment to pass the driver's license exam and be given a Hawaii driver's license, What happens then when they're out on the road? What happens when they're in the zipper lane or on the other side of it? What happens when they can't read the signs? And I'm not talking about the international symbolic signs, I'm talking about written in good old pidgin English signs. What happens when they can't read the new electronic billboards that we have? What happens when they can't understand what the radio and other traffic reports are talking about? What happens when they can't read the newspapers? What happens then? Are we doing anybody a favor by allowing them to possess a driver's license?

"And more importantly, what about the thousands, upon thousands, upon thousands of past immigrants who likewise could not read or write English, but somehow found a way to learn how to read and write English to not only pass that exam but to drive properly, to get jobs and take care of themselves.

"And lastly, Mr. President, if I go to another country, I'm sure they're not going to say, 'Oh, Sam's here. Let's let him have his driver's license in a different language.' So I'll be voting against this bill. I think it sets a very dangerous and bad precedent.

"Thank you."

Senator Kawamoto rose in support of the measure and said:

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

"I had the opportunity to listen to 500 people come together only on one issue and the issue is the concern of having to pass the written exam for a driver's license. These people are concerned because their parents, their relatives, friends, brothers and sisters are driving on the street without a driver's license. And according to their statistics they indicated that last year they had 10,000 tickets for driving without a license, many of which were the people that could not pass the written exam.

"There is a concern whether to have a person driving with a license with insurance and be out of the statistics of our concern about having drivers out there without insurance. Actually, I consider about 30 percent of it.

"The other concern that we have is that I don't know how long ago, but the DMV folks used to have an interpreter where they would interpret the questions orally and ask the questions and they would answer, and that was how they used to pass these tests. And they have taken away this interpreter.

"We also currently have in DMV the ability to allow people that cannot read -- the illiterate folks who cannot read -- every Tuesday they have someone there to ask the questions orally and they would also return the answer and pass the written test.

"I understand my learned colleague from Hawaii Kai's concerns about the people driving without being able to read. But currently the visitor industry and the rental car industry allows foreign language or foreign born or people that come here as visitors to rent cars and they cannot read . . . they cannot read English. So we have already people out there who cannot read.

"Also the fact that, I asked Mr. Hayashida of DOT who was at the meeting also and pledged to help these people. He said that a lot of these written billboards that we have out there now giving different instructions, the instructions are not safety issue instructions. So the concern for safety, to read those instructions is not there.

"So realizing this, realizing there's things that are happening at this time, I'm voting 'aye' on this bill and I urge all my colleagues to do so. Thank you."

Senator Inouye rose and said:

"Mr. President, register a 'no' vote for me, please."

The Chair so ordered.

Senator Anderson rose to oppose the measure and said:

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

"If I read correctly, there's approximately 10,000 moving violations or parking tickets issued per year. Normally, if a person receives a ticket, it will be for a moving violation. So that means that if you take a driver's test and receive your license and then you get a ticket, I don't think that that's going to be worth a darn. I would hope that any licensed driver would be able to read any street sign. If a sign reads 'Waimanalo,' the driver knows it's going to Waimanalo. And if licensed drivers commit moving violations and are issued tickets, then I don't think that if they took the license exam that was written in a foreign language that it's going to help them when they go to court for the citation.

"So I will be voting 'no' because I'm worried about the numerous violations that will be affected by this legislation.

And I'm on the road all the time and I have my grandchildren at times with me.

"Thank you very much."

Senator Iwase rose to speak in opposition as follows:

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

"Mr. President, first of all, we have had two bills in a row and I don't always vote against the bills from the Senator from Waipahu, and I think on the next one I'll support him. I just don't want him to think that this is a habit. There are reasons for this.

"Mr. President, I think since we are licensing drivers on our roadways, particularly in Honolulu, on Oahu, with its dense population, we have an obligation to ensure to the best extent possible that those we put on the roads with our license are drivers who are going to be safe, who are competent, who are knowledgeable about our laws and will not pose a danger or hazard to people who are driving on the road.

"Everybody who lives on this island travels our roads -- men, women and children. We have an obligation to ensure that the system we have to license people is a good one. But what I'm hearing as the reason for this bill, at least one, is that there are 10,000 people or something like that out there who are driving without a license because they can't pass the test. That is not a reason to allow them to drive. And if there was a way and if this bill passes, I would hope the chair of the TIA Committee looks at it. If there is a way to assist these people who have difficulty passing our examination because of the language barrier, if there is a way to assist them other than this, if there is a way that is going to be less intrusive and would ensure greater safety when they get their license, I will be supportive of that bill.

"At this point in time, I don't think I have heard anything that will assure me that those who pass the test will have done so because they possess the competency to drive on our streets. So I'll be voting 'no.'

"Thank you."

Senator Anderson rose and said:

"Mr. President, if I may. It's not a short rebuttal, really it's a point of clarification.

"I thought he said 10,000 violations that there were out there. He said there's 10,000 people driving without a license. I'm still interested in the number of violations that they get even though they're out there driving around. I've been in court where I hear people say it's the fourth time that they're driving without a license. It bothers me when they keep getting tickets. They do have interpreters and they're only sorry.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 2316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Chun Oakland, M. Ige, Inouye, Iwase, Slom, Tam, Tanaka).

S.B. No. 3102:

Senator Kawamoto moved that S.B. No. 3102, 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 this bill.

"Yesterday at the caucus, there was some concern about what happened to the vision portion of the driver's license when you renew your license, when you renew by mail. Well, I talked to the DMV folks again and they indicated to me that this bill would be put in the HRS Section 286-107, and in it, it says that when you renew by mail, it will be accompanied 'by a statement from a licensed physician certifying that the applicant had been examined by a licensed physician not more than six months prior to the expiration date of the applicant's license.' And then it goes on and says, 'if the applicant had been found by such examination to have met the physical requirements established by the state director of transportation for the renewal of licenses.' So that's where it's going to come.

"Granted, if you want the convenience to renew it by mail, you're going to have to pay for the exam.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 3102, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSE RENEWAL BY MAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2706, S.D. 1:

Senator Kawamoto moved that S.B. No. 2706, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose to speak in favor of the measure as follows:

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

"Mr. President, this bill creates an exemption for GET tax from the amounts received as rent from the leased aircraft and aircraft engines used by lessees in interstate air transportation of passengers and goods.

"The concern that we have is, unless we pass this bill and the fact that it's going to affect all of us who commute between islands and to the mainland, it's going to increase that. Local products, goods on the neighbor islands would pay for increased shipping prices, making them least competitive for the local and world markets for our neighbor island farmers if they increase the cargo. Tourism will be affected by it. As you know, this bill covers the major airlines. So these major airlines could go somewhere else besides Hawaii if the cost is too high.

"Therefore, I recommend that all my colleagues vote 'aye' on this bill."

Senator Slom rose to support the measure and said:

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

"Normally I would be in opposition to those bills that particularly set out one business or one industry for exemption or forgiveness of taxes. That would be the case except for the uniqueness of this particular measure. Some in the media have called this a bailout of the two major local airlines. I opposed the bailout of Hawaiian Airlines in the past. I have opposed and will, too, today, subsidies of specific industries.

"But this bill is a little bit different in that, first of all, the Department of Taxation, which is in opposition to it, talks about lost revenue of \$20 million. There is no lost revenue because there was no revenue that was ascribed over the past years. The

Department of Taxation would like to make the tax assessment on the lessor or the lessee retroactive as well as prospective.

"The clause in the lessor's agreement, those that lease the aircraft to our local industry, the clause is a standard clause of any lease agreement and that is basically that if there are any taxes, the taxes are due on the lessee, not the lessor, which means in this case the local interisland air carriers would pay the tax which also means that they would pass that on to us for ever higher ticket prices as we are witnessing right now.

"Lowell Kalapa, who normally also testifies against all subsidy and special tax exempt legislation, testified in support of this measure for a number of reasons. One was that the State of Hawaii already permits an exemption for the stevedoring industry because of our near total dependence on the surface shipping to get our goods to and from the islands. And secondly, we are the only state in the nation that is totally dependent on air transportation. We can't drive to our neighbor islands, so we are absolutely dependent on this mode of transportation. Thirdly, the bill does not just pertain to Aloha and Hawaiian Airlines, but pertains to commuter airlines as well.

"So I support this measure. I think it's a good measure, but I would also urge my colleagues to take particular note of the fact that we also have other businesses that also lease equipment and right now they are paying the taxes on those leases. So in order to be fair and equitable, what we should do when we're talking about a mainland company that is leasing a good or a service to a Hawaii company, that should be exempted.

"But I do support the measure, Mr. President, and urge my colleagues to do the same. Thank you."

The motion was put by the Chair and carried, S.B. No. 2706, 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. 2343, S.D. 1:

On motion by Senator Nakata, seconded by Senator Fukunaga and carried, S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2986, S.D. 1:

On motion by Senator Tam, seconded by Senator Matsuura and carried, S.B. No. 2986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3026, S.D. 1:

Senator D. Ige moved that S.B. No. 3026, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose to speak in support of the measure and stated:

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

"Mr. President, your Committees on Education, Ways and Means, your chairs, and members have worked on this measure.

The purpose is to establish the educational facilities repair and maintenance special fund (Senator from Hawaii Kai), to eliminate the backlog of projects, and to establish an improved program of cyclical maintenance.

"I believe that we would all want a better learning environment for our children. I am fully aware that the downturn in the state's economy has created difficulties for the funding of school repair and maintenance at required levels, and has thus created a serious backlog of repair and maintenance projects. However, due to the importance of education, it is clearly evident that we must pay special attention to its needs.

"This measure mandates that we allocate funds in order to address the backlog, and maintain cyclical repair and maintenance projects. By allocating \$45 million per year for four years, we can eliminate a major portion of the \$230 million backlog. The measure also calls for an improved method of planning and budgeting projected repair and maintenance costs. Not only will this provide safe facilities for our children, it will also protect the one billion seven hundred million dollar investment which we have made in our schools.

"Allocating funds will further allow us to provide one fiscal officer per school district. This fiscal officer will provide a business and facilities management background and shall be responsible for all budget and fiscal requirements of the districts' schools. This will therefore free school principals of these responsibilities and allow them to focus primarily on education.

"Finally, this measure increases the minor repair allocation to schools and requires that the allocation be based on the number of students and the age and condition of the buildings.

"Deferred projects are costing the State millions more in future costs due to secondary damage. A conducive learning environment is dependent not only on its faculty, but also on its facilities. I believe that our children deserve safe, aesthetic, and structurally sound school facilities. Therefore, Mr. President, I urge everyone's support.

"Thank you."

Senator Slom rose to speak against the measure and said:

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

"Again, I go back to my statement just five or six short hours ago in opposing all special funds, the creation of special funds. I'm not opposed to the rehabilitation of the schools -- absolutely, they need it -- but let me take my colleagues back just eleven short years to 1989. In 1989, the Legislature approved earmarking \$90 million for educational facilities in making a commitment to education. And three years later, took the money back and put it in the general fund because the general fund revenues started to dwindle.

"Further, rather than spurring construction of classrooms, the earmarking at that time nearly created apathy as school officials knew that they would receive \$90 million off the top and they didn't have to justify a request for funding. Similarly, while the earmarking of these funds sets a priority for educational facility maintenance, what does that say about other so-called high priorities for state tax dollars? Or is the intent of the measure to shortchange the general fund creating the illusion that there isn't enough money to pay for essential service, thus necessitating the need for a tax increase? And as you know, we discussed and debated last year the possibility of increasing taxes or transferring the personal income tax to the DOE.

"Other questions jump out at us. The special funds are supposed to be financed with a likely \$125 million bond sale. But the question is, What happens if the \$125 million is charged against the GO bond limited to the state? What happens for bonded indebtedness in the future? And then in

terms of the money that's promised to the schools for the district business positions, well, they're promised \$8,000 a year now. They don't get that. So we're promising them \$25,000 and they'll be lucky if they get any of that.

"Mr. President, I think that instead of making commitments we don't keep, if we're really concerned about our children, if we're really concerned about our schools, then we really have to have appropriate and legitimate action including responsible fiscal action. And that does not mean creating additional special funds. Let's by all means take care of the repair and maintenance of our facilities, but let's do it in a prudent and fiscally responsible manner.

"Thank you."

Senator Sakamoto rose and said:

"Mr. President, just a few clarifications for our Senator who opposes special funds.

"Separate from that issue, on the dollars, Senator, the 45 million would be basically, hopefully, bonds as opposed to general funds. Certainly, for some repairs you would require general funds. On the fiscal officers, that's not related to the \$8,000. That's another provision of the bill. Yes, we're not funding the \$8,000 per school, which is given equally to each school. The hope is we could raise the limit to \$25,000 and older schools can get more, and possibly more than the \$8,000, and schools that don't need it get less.

"So there are provisions to address some of the ways the system isn't working. So hopefully you can get on board to working together to help the system work in spite of your opposition to special funds."

Senator Tam rose to speak in favor of the measure and said:

"Mr. President and fellow colleagues, I vote in favor of this bill.

"It's a very, very good bill. It addresses safety and health within our school environment. Imagine if we were not to provide these safety and health features, basically we should close down the schools. We do need these dollars on a statewide basis for safety and health.

"Thank you."

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I'm going to be voting for the bill but with some reservations.

"Primarily, our state public schools are in dire need of repair. But some of the problems that we've had over the years is the money that we set aside, the administration or whoever runs it said the reason that we're spending so little is that we just don't have enough contractors to fulfill the jobs. And I said, 'You're full of it.' We only give them to certain individuals and in that way we control everything. So that's what bothers me.

"If the public schools are in need of repair, then repair them. The DOE administrators should spend the money that we put aside for specific repairs. Then we would be moving forward, rather than playing games and helping only certain individuals that leaders or administrators feel deserve to be taken care of.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 3026, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 3193, S.D. 1:

On motion by Senator Kanno, seconded by Senator Fukunaga and carried, S.B. No. 3193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE EXCHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 2:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:52 o'clock p.m.

Stand. Com. Rep. No. 2689 (S.B. No. 2655, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 2689 be adopted and S.B. No. 2655, S.D. 2, 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, Stand. Com. Rep. No. 2689 was adopted and S.B. No. 2655, 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, 19. Noes, none. Excused, 6 (M. Ige, Iwase, Kawamoto, Levin, Tam, Tanaka).

Stand. Com. Rep. No. 2691 (S.B. No. 2974):

Senator Kanno moved that Stand. Com. Rep. No. 2691 be adopted and S.B. No. 2974, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senators Slom, Anderson and Matsuura 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. 2691 was adopted and S.B. No. 2974, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (M. Ige, Iwase, Kawamoto, Levin, Tam, Tanaka).

Stand. Com. Rep. No. 2692 (S.B. No. 3117):

Senator Kanno moved that Stand. Com. Rep. No. 2692 be adopted and S.B. No. 3117, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose and said:

"A W/R on this bill also, please."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2692 was adopted and S.B. No. 3117, 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, 21. Noes, none. Excused, 4 (M. Ige, Iwase, Tam, Tanaka).

Stand. Com. Rep. No. 2696 (S.B. No. 2914, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2696 be adopted and S.B. No. 2914, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

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

"We discussed this in the Water, Land, and Hawaiian Affairs Committee. I was concerned that every program that the Department of Land and Natural Resources has, they're going to be shifting monies into special funds. The department knows full well that leadership in the legislature has raided special funds and put those monies back into the general fund. The only one who can do this is the governor and the administration. We have no control over those funds, so I'm really worried that we are going to be in trouble.

"So I will be voting 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2696 was adopted and S.B. No. 2914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson). Excused, 3 (M. Ige, Iwase, Tanaka).

Stand. Com. Rep. No. 2697 (S.B. No. 2186, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2697 be adopted and S.B. No. 2186, 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. 2697 was adopted and S.B. No. 2186, 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, 22. Noes, none. Excused, 3 (M. Ige, Iwase, Tanaka).

Stand. Com. Rep. No. 2698 (S.B. No. 3176, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2698 was adopted and S.B. No. 3176, 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, 22. Noes, 1 (Slom). Excused, 2 (Iwase, Tanaka).

Stand. Com. Rep. No. 2699 (S.B. No. 2348, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2699 was adopted and S.B. No. 2348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Iwase, Tanaka).

Stand. Com. Rep. No. 2700 (S.B. No. 2132, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2700 be adopted and S.B. No. 2132, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Slom, Anderson, Inouye 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. 2700 was adopted and S.B. No. 2132, 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, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2701 (S.B. No. 2301, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2701 be adopted and S.B. No. 2301, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Inouye rose to speak against the measure and stated:

"Mr. President, I oppose this bill.

"Mr. President, I'm not sure if our colleagues have really looked at this measure. This bill transfers the authority and entitlement of maritime lands from DLNR's jurisdiction to the Department of Transportation. Even if this bill was authored to address the concerns of our governor's plans of building a golf course, it will truly hurt many other lands throughout the state.

"As you are aware, the County of Hawaii currently has jurisdiction over DLNR lands around the harbors at Honokahou and Kawaihae. I think this bill hurts the small boat harbors because it gives DOT's Harbors Division authority over those lands, instead of DLNR and the County of Hawaii. I therefore have grave reservations about this. I believe when this measure went to Ways and Means they amended the effective date to be the year 2010 to promote further discussion, so they may also have some reservations.

"In addition, Mr. President, if there are any economic development implications or if DOT is looking at future economic activity around state harbors, then I believe this measure should also have been referred to the Economic Development Committee.

"Thank you, Mr. President."

Senator Chun rose to support the measure with reservations and said:

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

"Mr. President, I echo the concerns of the Senator from Kohala and North Hilo. However, my other concern really goes down to also addressing the fact that this bill would attempt to exempt itself from other environmental rules, more specifically, the special management area provisions contained in 205A. If the land is removed and put into a maritime land use under the Department of Transportation, there's a separate section under HRS Chapter 266 which would exempt Department of Transportation projects from review by the SMA.

"My concern is that since we are all concerned with development that would affect the coastal areas and also the seashore, exempting maritime land for commercial and industrial activities from this very important law would have a negative impact on our environment, and I don't believe that was intended. And I believe as we go through conference, since it does have a defective effective date, that that loophole can be closed.

"Thank you, Mr. President."

Senator Chumbley then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Levin rose to support the measure as follows:

"Mr. President, I wanted to comment in favor of this bill. The concerns echoed by my colleagues are certainly well taken.

"The thinking of the Ways and Means Committee in moving this bill forward was to give an opportunity to the two departments to work on these issues and hopefully come up with a consensus position that will be acceptable to the Legislature. As has been pointed out, we did make the effective date defective to assure that it will come back to us, and therefore I believe that this bill should move forward for further discussion.

"Thank you."

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, I'm going to be voting with reservations.

"When this bill came to the Water, Land, and Hawaiian Affairs Committee, one of my concerns then and now is that if you had a parcel of land, such as on the island of Kauai, with a jetty, could then the Department of Land and Natural Resources, if they owned that land but leased the property out, but because it was close to the harbors, could the harbors take it over and turn it into another use? And that was a concern of mine and when we asked, everybody more or less said, 'I don't think so. Not now.' But it's still a very deep concern and I think we have to look at it.

"Thank you very much."

Senator Nakata rose and said:

"Mr. President, with reservations for the same concerns as the Senator from Kauai."

The Chair so ordered.

Senator Slom 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. 2701 was adopted and S.B. No. 2301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Inouye). Excused, 1 (Iwase).

Stand. Com. Rep. No. 2703 (S.B. No. 2474, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2703 be adopted and S.B. No. 2474, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure as follows:

"Mr. President, I rise in support.

"This bill will ensure that all federal impact aid monies received from the federal government for education will be used entirely to educate the young people of our families in Hawaii.

"In the past, as you may be aware, some of these monies have been siphoned off to the general fund. Mr. President, our Congressional delegation is aware of the importance of maintaining a high quality of life for our military members in Hawaii for morale, retention, and recruitment purposes and they

have worked hard in initiating appropriate legislation to bring funds here. Federal aid has in the past and will continue to contribute significantly to quality education, not only to children of federal workers, but to all of our children. Needless to say, education is one of the highest priorities in the legislature.

"Because of the importance of education and the role of the military in facilitating partnerships with the schools and community for improvement programs, I ask my colleagues to vote to keep additional Federal impact support for education. Aloha!"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2703 was adopted and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL AID," 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. 2705 (S.B. No. 2750, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2705 be adopted and S.B. No. 2750, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President, I'll speak in favor of the bill with reservations.

"According to the testimony and the committee report, it is because of a mathematical error made by a consultant that the state overcharged the federal government in fiscal years '97 and '98. And the state is now repaying the overcharge without penalty, but it will result in a \$600,000 shortfall.

"I guess my first question is, If the consultant made the error, why is the state forced to pay for the error that the consultant made? And then secondly, I notice that in the bill there was a \$200,000 appropriation for increased maintenance costs of the new computer equipment for DAGS. I don't know what the end is going to be for the computer equipment that we keep paying here, but I think that I'd like to be in the computer business selling to the state because we keep buying new equipment and maintaining the equipment that we have.

"So I'll be voting with reservations."

Senators Anderson 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. 2705 was adopted and S.B. No. 2750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," 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. 2707 (S.B. No. 2598, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2707 was adopted and S.B. No. 2598, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2708 (S.B. No. 2987, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2708 be adopted and S.B. No. 2987, 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. 2708 was adopted and S.B. No. 2987, 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 (Iwase).

Stand. Com. Rep. No. 2709 (S.B. No. 2988, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2709 be adopted and S.B. No. 2988, 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. 2709 was adopted and S.B. No. 2988, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," 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. 2710 (S.B. No. 2909, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2710 be adopted and S.B. No. 2909, 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 to speak against the bill.

"Again, this is yet another bill that establishes yet another special fund, so I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2710 was adopted and S.B. No. 2909, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2712 (S.B. No. 2990, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2712 be adopted and S.B. No. 2990, 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 speak in opposition to the bill.

"Now we're going to charge a \$10 surcharge on each sale of lead acid batteries. We keep adding fees and charges at the front end when we purchase certain things and at the back end when we get rid of certain things. That is why our cost of living continues to be so high. That's why our families and individuals and small businesses continue to struggle. It's not a good idea and it's not necessary.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Chun rose to support the measure and stated:

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

"Mr. President, even though it does have a surcharge, I think it does encourage people to turn in their old batteries, and if you do turn in your old batteries under this bill, that surcharge is waived. So I believe it accomplishes a laudable goal of making sure that our batteries are disposed of properly and not just left to leak out into the ground as it does oftentimes.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2712 was adopted and S.B. No. 2990, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2713 (S.B. No. 2879, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2713 be adopted and S.B. No. 2879, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

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

"Well, here we go again. This is a \$1 surcharge on all imported tires and we pay a fee to have the tires removed. This bill also has fines ranging from \$1,000 to \$10,000. Another bad bill, another bad precedent. 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. 2713 was adopted and S.B. No. 2879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2715 (S.B. No. 2607, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2715 be adopted and S.B. No. 2607, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"I want to know why the state has to create this private foundation, and wonder if in fact this is just a prelude to state funding later on. We have private foundations, galore, within the state, for charitable and eleemosynary and educational activities, and if in fact that's what we want to do with the Status of Women Foundation, then we should do that and the government should not be involved, lest they learn a lesson from OHA and it's relationship with our state government."

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. 2715 was adopted and S.B. No. 2607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," 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. 2718 (S.B. No. 2872, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2718 be adopted and S.B. No. 2872, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

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

"Primarily, I am not opposed to the Hawaii Health Systems. When we were in Ways and Means, a prior bill that we just sent over, Stand. Com. Rep. No. 2705, we had said last year that an appropriation of \$200,000 was something that we should pass for the computers. This year we will appropriate \$14.5 million to the health system, although last year we said no, we would not fund that. The governor loaned HHSC the money, and if you read the bill it says 'this money is to repay the state because the governor loaned HHSC the money.'

"As representatives elected by the people, the Legislature can say we're not going to provide the appropriation. Yet, the governor loans HHSC the money. And when we say we will appropriate the funds, the governor restricts it. So in Ways and Means I asked Mr. Anzai, does this then mean, and I know you're not budget chairman any longer, that the budget that was sent down by the administration if in fact we vote 'no,' will that budget be short \$14.5 million? And he said yes.

"Now, I believe some of our priorities take precedence over the governor's choices. So I would rather vote 'no' and let everybody scrounge to find out what happened to the \$14.5 million. If not, from now on just relinquish all of your responsibilities to the administration and just tell him whatever he wants or she wants, whoever is up there. They can go ahead and do anything they want to and you're just going to rubber stamp it, because that's what we're doing, ladies and gentlemen.

"Thank you very much."

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. 2718 was adopted and S.B. No. 2872, 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, 21. Noes, 2 (Anderson, Kawamoto). Excused, 2 (Bunda, Iwase).

Stand. Com. Rep. No. 2719 (S.B. No. 2893, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2719 be adopted and S.B. No. 2893, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak in opposition and said:

"Mr. President, I rise in opposition to this bill.

"This measure would raise the minimum wage 25 cents, effective July 1, 2001, and an additional 25 cents per hour in 2002. The stated goal of this measure is to help low-income

families who have suffered under the burden of the high cost of living in Hawaii and our stagnant economy. It is a good goal, and I support it. But raising the minimum wage will not accomplish it.

"We have to be very careful about thinking that we can somehow raise standards of living by mandating an increase in the minimum-wage rate.' Those are not my words, they are the words of Federal Reserve Chairman Alan Greenspan. When the chief economist of the United States says we should carefully consider the effects of raising the minimum wage, we would be irresponsible to do otherwise.

"As three noted economists recently testified before the House Committee on Education and the Workforce, a substantial body of work proves mandated wage hikes not only fail to help the poor and the near-poor, but also actually can hurt them. Dr. David Neumark of Michigan State University, for instance found that while minimum-wage hikes may lift some families out of poverty, they push even more families into poverty as employers try to control costs by eliminating jobs, displacing low-skilled adults for more productive employees, or shaving work schedules.

"Testimony from McDonald's restaurants, the Hawaii Restaurant Association, and the National Federation of Independent Business indicated that they would have to do exactly this to try and survive. These small businesses are the backbone of Hawaii's economy, and the economic recovery of this state is contingent on their success. Simply put, we cannot afford this measure.

"Equally important, Professor Daniel Shaviro of New York University testified, raising the minimum wage can have the unintended consequence of actually costing the working poor most. He found that mandated wage hikes can trigger rapid-fire reductions in government assistance programs, such as means-tested federal tax credits, food stamps, Medicare benefits, and housing benefits. The negative impact of these declines in assistance far exceeds the benefits of a minimum wage increase.

"Cornell University Professor Richard Burkhauser summed up the situation best when he testified that the vast majority of the working poor were not helped by the last minimum wage increase, while the vast majority of those who were helped were not the poor.

"I sincerely believe that raising the minimum wage is not the solution to helping the poor. Additionally, I strongly believe that it is absolutely the wrong time in our economy to raise the minimum wage.

"From the quote on the cover of this book, Principle-Centered Leadership, 'Give a man a fish and you feed him for a day; teach him how to fish and you feed him for a lifetime.' Mr. President, I urge my colleagues to vote 'no' and carefully consider what this measure might do."

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"I have a number of major concerns with this bill and with minimum wages, in general. First of all, people continue to talk about living wages. The minimum wage is not intended to be a living wage. The minimum wage is an entry level or training wage. We're talking about trying to put welfare recipients to work in Hawaii, and yet we have the lowest rate of new job creation in the private sector of any state in the nation because of our economy.

"There are many in small business who would love to hire people, put them to work, but they can't afford to put them to work because of the cost. I don't know of anybody in small business that starts a person at minimum wage today in Hawaii

because of the competitive nature for a good employee, even someone that's being trained.

"But people don't realize, particularly those people that have never been in business or not in business in this state, we have the highest cost of mandated required compulsory additional benefits of any state in the nation. The additional cost of those mandates, and I'm talking about things like workers' compensation, temporary disability insurance, unemployment compensation and prepaid health care, the additional cost to whatever the payroll or wage basic rate is, runs on average in Hawaii from 30 percent to 55 percent above whatever that wage rate is. And every time your wage rate goes up, so do your liability insurance rates, workers' comp rates and other things that are pegged to the compensation that is paid.

"In addition to that, businesses also have to pay for things such as matching dollar for dollar social security and medicaid taxes. They pay for vacation, sick leave and other benefits which are not mandated. And so the cost of compensation continues to be relatively high.

"I also find this bill to be dishonest because I don't think anyone in here believes that if they believe in a minimum wage, that they believe in only a 25 cents increase, because they've expressed that before. But this is another one of those bills to keep it alive and to keep it talking and to move it across the aisle to the House, and try to placate those people particularly in the restaurant industry by saying, 'Gee, it's only 25 cents an hour next year and 25 cents the year after that.'

"If in fact the minimum wage goes up in the state, it will be well above the 25 cents. The governor asked for 50 cents above the federal minimum wage rate, and the Congress right now is debating an increase in the federal minimum wage rate. So what we're doing here is we're looking at something that is going to mandate an increase in cost for all businesses, but I remind my colleagues 98 percent of all businesses in the State of Hawaii are small businesses. We're mandating that their cost of wages and the attendant mandated benefits go up, but there's no mandate here that their utility costs go down, that their lease rents go down, that their supplies that they buy from other people go down, or anything else -- just that their costs continue to go up.

"So it is a bad bill. It is a bad time, and I think it's bad faith to talk about this 25 cents. So I'll be voting 'no' and urge my colleagues to do so, too."

Senator Inouye rose to speak against the bill and said:

"Mr. President, I speak in opposition, as well, on this bill.

"Mr. President, I echo the sentiments of my colleagues from Aina Hana and Moanalua. I feel some sympathy for the small stores, the mom-and-pop stores, that have been pushed aside by the big buck stores that are coming into Hawaii and taking business away from them. I feel for the Hana store.

"And so for these reasons, as well as those mentioned by my colleagues, I will be voting 'no.'

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I'd just like to say that I voted 'W/R' in committee, Ways and Means, but I'm going to vote 'aye' on this bill and I want to apply to be a member of the Ways and Means Committee to follow this bill in Conference. So Ways and Means chairs, I apply for membership." (Laughter.)

Senator Nakata rose to speak in support of the measure as follows:

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

"There is much that this Legislature has done for business over the last few years. In workers' compensation reform, it has saved business \$200 million a year. In premiums, this Legislature has removed pyramiding, which will also save on the order of a hundred and some odd million dollars a year when fully implemented.

"I believe that the economy is beginning to recover. Unemployment rates have come down. I believe it is time that we begin to look at the needs of workers and their families. Most of the people on minimum wage are women with children. Really, I believe it's time for us to look at those things and to remember that historically the minimum wage was instituted during the great depression in our nation's history.

"Thank you."

Senator Anderson rose to speak in opposition as follows:

"Mr. President, I'll be voting 'no.'

"I agree with what most of the people have said. But for my colleague from Kaneohe, if we're really worried about those poor people and those that cannot afford, then we should pass the most regressive tax. That is the elimination of the 4 percent GET off food and over-the-counter drugs. This would place more money in the pockets of island residents than a 25 cents an hour minimum wage increase. But we sit here and we play games. We propose a 25 cents increase and it results in an \$8 increase in 40 hours of work. You could save a heck of a lot more when the GET is exempt on over-the-counter drugs and food, because the GET is a regressive tax.

"For example, a single parent who happens to be on food stamps will also benefit from the 4 percent exemption of food and over-the-county drugs. That's the way we can help people. And it helps everybody across the board. We should not play games!

"Thank you very much, Mr. President."

Senator Levin rose in support of the measure and stated:

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

"I wanted to offer several comments, if I may. A number of thoughts come to mind. This was a hard-fought compromise to get it to this point. I think it's worthwhile remembering where this bill started. This was an administration bill. It was a proposal to raise the minimum wage by 50 cents an hour, and it was a proposal to tie that raise to the federal standard so that we would always be 50 cents above the federal standard. We have always taken pride, I think, in the fact that our minimum wage was higher than the federal level. It's a recognition of the fact that our cost of living is substantially higher than anywhere on the mainland.

"The federal minimum wage right now, as I understand it, is \$5.15 an hour. There is much talk about increasing it. The state minimum wage is \$5.25 an hour, a mere 10 cents higher than the federal level. Instead of going 50 cents above the federal standard, the proposal now before us is to increase only 25 cents, and not until January 1, 2001, and an additional 25 cents, January 1, 2002.

"The bill also includes a disclosure provision that was strongly endorsed by Local 5 and which was signed on to by management, which would assure that when management takes advantage of what is called the 'tip credit,' the customer will know that whatever tips are being given will go only partially to those employees who are helping serve.

"We increased the tip credit by 20 cents in this bill, which means that the impact on restaurateurs, which was the group

that was most vocal against increasing the minimum wage, the impact would be a net of 5 cents per hour. No increase, of course, until January 1, 2001; then 5 cents an hour for the next year, and then 25 cents more the year after that.

"Mr. President, I believe that we've listened to small business. I believe we've listened to Local 5. I think we recognized the cost of living in our state, and we felt that it was time to do something for the working men and women, as my colleague, the chair of Labor, has indicated. I think we need to look into our own consciences, as well, in deciding whether to move this bill forward. I am pleased that it is before us.

"I urge my colleagues to vote 'yes.'"

Senator Anderson rose again and said:

"Mr. President, a slight rebuttal, if I may.

"As I said earlier, just because something comes from upstairs, it doesn't make it right. And then we try to say we're going to move it along.

"It bothers me when we talk about increased cost to the families, such as increased shipping cost. We have four people in Congress that refuse to do anything with antiquated bills. And someone said, 'Well, it's only going to cost a few more cents for a can of corn.' But the aggregate price increase of a shipped case of corn is troublesome. It's a lot of money that someone profits, but no one seems to care.

"Moreover, the decision to move a bill along so that we can have discussion is not what we're supposed to be doing here if we're trying to put forth legislation to help island residents.

"And that's why I say we ignore the most regressive tax. We say, 'Well, we're going to give tip credits and we're going to do this.' Legislation that eliminated the GET on wholesale goods takes seven years to zero out. In the meantime we go down the tubes.

"This attitude is the reason we're in this predicament today. We postpone important issues until later. And that's what this bill does. It sounds good. It's something that will come up maybe if Congress does something and Congress takes away everything from the state because they implement their own so they can play games. I always watch Congress on television. I get just as upset with them as I am with us.

"So, those reasons are why we're voting 'no,' Mr. President. We'd like to move this state forward to make sure that the people can afford to live here. Let's eliminate increasing cost factors that will help people -- not save 25 cents or 15 cents here and there. Most of the laborers are not making that kind of money.

"I have a small business and I know that I don't pay minimum wage. We've always paid more than the minimum wage. But as soon as you mandate minimum wage, other non-minimum wage employees say, 'Well, I'm only making \$6.50. If they're going to be making \$5.25 and now they're going to get \$5.50, I should get \$7.00.' And that's the reality for small businesses when the minimum wage is increased.

"Thank you very much, Mr. President."

Senator Slom also rose again and remarked:

"Mr. President, I'm compelled to make a brief rebuttal based on statements made by two of my colleagues who both said exactly the same thing -- that it's time that the Legislature do something for working men and women.

"I would remind my colleagues that small business owners are working men and women -- working men and women who create jobs for other people, who don't get handouts, who create

the jobs, do the training, provide the benefits, pay the wages, pay the taxes, support each one of us sitting here. So I get a little perturbed when people say let's do something.

"And what have we done today so far for the working men and women? We've increased their fees. We've increased their costs. We've increased the cost of government. We will be increasing their cost of taxation. That's what this body does for working men and women.

"You want to do something, you listen to my colleague from Waimanalo. You cut out the cost of taxation on the basic necessities of food for home and medical supplies. You reduce the taxes. Don't use the regressive tax.

"One other thing. The governor is fond of talking about the cost to the state -- \$200 million of workers' compensation that was cut and the \$100 million-plus of saved money in GET pyramiding. Again, for those of you who are not in business, don't understand business, don't have to reach in your own pockets to pay, don't have to meet a payroll, get your check supplied from the state -- you don't understand what it goes through, what you have to go through because you pay everybody else first. If there's any money left over, then you take care of yourself, your family, and your business. But you pay your workers first. You pay the government as far as taxes.

"And I want to tell you, as far as that workers' compensation, you come and talk to any ten small businesses and find out how much they have saved in the last two years on their workers' comp premiums. You will find to your surprise, perhaps, that they have saved nothing. Large businesses have saved money, not small businesses. And by the way, how did we save that money? By cutting the medical fee schedule and making it even more difficult for professionals like doctors and those involved in providing services who, by the way, are small business men and women themselves.

"And oh yes, the GET pyramiding, the much vaunted GET pyramiding. If you know anything about business, you'd know that 90 percent of the businesses in this state do not qualify for the reduction in the vaunted GET pyramiding reduction, because it is not a reduction in the rate. It is a reduction in those expenses not classified as overhead subjectively by the Department of Taxation if the business can qualify for it. And those businesses that have been trying to qualify for it since we adjourned last year have found that most of them, in fact, do not qualify for it.

"So, before we talk about doing something for working men and women, let's have a reality check on who the working men and women are. They are the small business men and women who are the backbone of this state.

"And one more item -- the Department of Labor and Industrial Relations has no statistics on the number of people getting minimum wage. In testimony, they relied on the Clear Labor Organization at the University of Hawaii, and the director of that organization used a survey for basic wage rates only, not compensation with mandated benefits. The survey showed that less than 3 percent of the civilian labor force in the State of Hawaii was on minimum wage at any given time, because I remind you it's a training wage. Anybody that's still on minimum wage after they've been on the job for six months or a year has not progressed, has not learned. That's what it's all about.

"We gotta be more 'akamai' and understand what business is all about in this state, particularly when we say we're going to help the working men and women in this state.

"Thank you, Mr. President."

Senator Chun rose in favor of the measure and said:

"Mr. President, I stand in favor of this measure.

"Mr. President, I do appreciate the comments of the Senators from Kailua and from Moanalua and from Hawaii Kai. In fact, I am partially to blame, I guess, for the dishonest compromise of this bill because I was one of the early ones in WAM that actually spoke against the bill that resulted in the compromise.

"However, I must support this bill because it is a good faith effort to go beyond our philosophical differences of how to address the economic needs of the state. But to engage in honest and open discussion as how to go forward from there, we need to keep the bill alive. We need to keep talking and we need to try to look for a way where we can help everyone, as opposed to say 'no' to everything.

"So for those reasons, I believe this bill is a good compromise. It's been an honest discussion in terms of what needs to be done and recognition of the issues to be addressed. I ask my fellow colleagues to support it."

Senator Tam rose to speak in favor of the measure and said:

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

"Colleagues, this is a very good bill. It's a bill that pays the employees with ability, not in terms of below the minimum wage. There are currently businesses coming to Hawaii that are cheating employees out of the basic minimum wage or paying them below the opportunity to provide food for their family. This bill, once again, provides money for families so that they can feed themselves.

"Thank you."

Senator Matsuura 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. 2719 was adopted and S.B. No. 2893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, D. Ige, Inouye, Sakamoto, Slom, Tanaka).

Stand. Com. Rep. No. 2723 (S.B. No. 2345, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2723 be adopted and S.B. No. 2345, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen rose and stated:

"Mr. President, the intent of this bill is a good one. However, when we mandate . . .

The Chair interjected:

"Are you speaking for or against the bill?"

Senator Buen replied:

"I'm opposing this bill."

The Chair responded:

"Please proceed."

Senator Buen continued:

"I have a potential conflict."

The Chair inquired:

"What is your potential conflict?"

Senator Buen replied:

"I work for Maui Electric Company."

The Chair ruled:

"No conflict. You may vote on this measure."

Senator Buen then continued:

"When we mandate a percentage of renewable energy resources without regard to the impact of the cost to the consumers, it is, I believe, unwise at this time. By statute, the consumers will be required to pay more because the renewable, as stated in this bill, costs more. I want to be clear. We all want to cut our dependence on imported fossil fuel, but we need to do it with cost effective programs based on programs proven to reduce the demand for our dependence on oil.

"Technology should give us reliable energy. The sun, wind, photovoltaic, and hydro are not reliable energy sources, and they do not represent firm power. Let me give you an example or let me explain. Hydro is only used when the currents achieve a certain rate of flow or a higher rate of flow. However, if that rate were not achieved, it would not introduce power to the electric grid. The same is true for wind and solar powered generating sources. If the wind is not blowing or if it is night and the sun is not shining, no power would be introduced into the electric grid to which the renewable alternative is connected. So that is why I say these energy sources would be unreliable sources.

"Every day, Mr. President, we talk about jobs. We talk about improving our economy and to help those that are just trying to make ends meet. And yet, we're not helping them. Instead, what are we doing? What we're doing is to pass out this kind of bill to trigger higher electric rates and to increase cost.

"For these reasons, Mr. President and colleagues, I will be voting 'no' on this measure. Thank you."

Senator Anderson rose in opposition to the measure as follows:

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

"I also voted 'no' on the ethanol and it's not mentioned in this particular bill. But what it says here is that the Legislature finds ways to achieve its objectives through implementation of renewable portfolio standards, a flexible market driven policy. The Legislature wants to seek different ways to do energy, then we're going to pass on that cost to the taxpayers.

"When we look at renewable energy, Mr. President, it's wind, solar, biomass, geothermal energy and ethanol. Now, most of our sugar plantations have gone out of business, and years back, 20 years ago, we were producing or utilizing biomass, ethanol. We've experimented with windmills. We've done everything that there is. The utilities know their limitations as far as renewable energy. Now we're going to bring this up again and we will place mandates on the electric company who will pass that cost on to us.

"I took a trip to Oahu Sugar before they closed. Oahu Sugar is close to the Waipahu Plantation Village. I told them I thought it was a good idea if AmFac stayed in that business. They could use their sugar plantation mill as a tourist attraction. They could sell the by-products made in Hawaii. It would certainly have helped the Plantation Village for tours and other things and it would have been very good for the town. But AmFac decided they would rather put their land out and develop it for housing. Consequently, they didn't want to continue operation of the mill.

"Now we're looking at other ways to help specific businesses and pass the cost of these subsidies to the consumer. And that's why I'm voting against this bill. We tried this before. We have windmills all down on the windward side of the island. We've tried many options when we had lots of plantations and discovered it would not be cost effective.

"So I'm opposed to this, Mr. President. I don't think that this bill will produce what we want. I don't think it will be cost effective for the citizens of this state. Consequently, I will be voting 'no.'

"Thank you very much."

Senator Slom rose to oppose the measure and stated:

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

"I support alternative forms of energy. I support renewable energy. But I do not support this bill. If we're talking about wind energy, however, we have enough wind and heat in this room right here to provide alternative energy sources, and it's not mandated. But that's what this bill does. It mandates. It mandates the utilities; it mandates the PUC; it mandates consumers. It provides for penalties; it provides for additional litigation and litigiousness from citizens. It's not a bill that encourages -- it's one that punishes.

"And I think that mandating an artificially fixed level of renewable energy resource usage by a utility at this time, without regard to the impact on the utility system, without regard to the impact on the cost to the consumers, without regard to the stage of available renewable energy options, is not a prudent policy. Therefore, I'll be voting 'no.'

"Thank you."

Senator Bunda rose and said:

"Mr. President, I would like to have my remarks inserted into the Journal in opposition to this measure."

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

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

"Briefly, Mr. President, I do support use of various renewable resources to meet Hawaii's energy needs. However, renewable portfolio standards that the bill calls for leave us with too many unanswered questions. First of all, I'd like to know what are the impacts on the reliability to our utility systems? And secondly, are there any open-ended costs for us the consumers?

"I'm opposed to this measure because it requires the purchase of some undetermined product at a fixed time in the future, without regard to the price or the impact on the utility systems or the economic impact on us -- the rate-paying customers.

"I am voting 'No' on this measure."

Senator Kawamoto rose on a conflict ruling as follows:

"Mr. President, I have stocks in HEI, not very many, but I need a ruling on a conflict of interest."

The Chair responded:

"No conflict. You may vote on this measure."

Senator Matsuura rose to speak in support of the measure with reservations as follows:

"Mr. President, I stand in support with reservations on this bill.

"At first I was going to vote 'no' on this bill, but since I pay my utility bills to HELCO and not HECO, I thought this bill, in actuality, is a great boom for the Big Island.

"If you look at some of the numbers in this bill, I just want to warn my fellow colleagues from Oahu that by year 2002, 7.5 percent of your energy has to be coming from renewable resources. That equates to about 100 to 150 megawatts of electricity. On Oahu, you do not have that.

"So you have two options as the bill is written here. You can join and buy HELCO and you can subsidize our most highest rates by lowering ours on the Big Island; or two, you can also invest about half-a-billion dollars in support of geothermal, increase the geothermal, and one of my father's greatest dreams was that undersea cable.

"Thank you."

Senator Nakata rose to speak in favor of the measure and stated:

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

"Fundamentally, I think this Legislature, whether it's this year or next year or some years down the road, will have to face some fundamental policy issues. Global warming is a reality. The five hottest days of the last century occurred in the last decade. We are seeing increasing frequencies of the El Nino and La Nina phenomenon and these could very well be consequences of global warming. If you watch a pot of water boil, as the water gets hotter, the currents begin to move, and that is exactly the phenomenon of El Nino. The waters off Southeast Asia become warm and then they start moving across the Central Pacific towards South America and create havoc with our weather.

"Our atmosphere is a blanket, and the more carbon dioxide you put into the atmosphere, the more heat is trapped. The rate at which we have been consuming fossil fuels in the last 200 years or so is phenomenal and it keeps increasing. As economic activity increases, that also increases -- that is the rate of our putting carbon dioxide back into the atmosphere.

"In Hawaii, we need to be concerned about that because there are estimates of sea level rises of a foot or more over the next century. Think of what that means for our beaches, our estuaries, our water resources. Already there are reports from the Navy that the Arctic ice cap has lost one-third of its thickness. The Antarctic ice cap is shrinking. Major portions of it are breaking off and floating out to sea. These are things that are real. And this state needs to be addressing those issues.

"Maybe what we do will not have much impact, but the impacts on us call for us to have a voice in the international arena on these kinds of issues. And if we are not moving faster than we are in terms of addressing these issues, then our voice may not be as strong as it should be, not only for ourselves but for other Pacific islands, some of which are already beginning to disappear.

"I think those are reasons why we need to begin benchmarking our own use of renewable energies in order to prepare for that time. Certainly, it costs a little more, but global warming is like looking at an avalanche. You can't stop an avalanche once it's started. You have to begin taking measures before it starts, and I think that is the kind of place we're at now.

"Thank you."

At 3:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:50 o'clock p.m.

Senator Iwase rose with the following inquiry:

"Mr. President, a question to the co-chairs of the Ways and Means Committee regarding what I believe is an understanding of a deletion that should have been made to the bill, and apparently was not. If I could ask either Senator Levin or Senator Fukunaga to comment on Section 8 of the bill which relates to the commencement of civil action."

Senator Levin responded:

"Mr. President, the Senator from Mililani is absolutely correct. In Committee we discussed Section 8 of the bill which appears on page 8 of the bill. The intention of the Committee was to delete that section. It provides for the commencement of civil action by any persons, and that was felt to be too broad.

"I rise in support of the bill and to urge my colleagues to vote in favor, and we will deal with the House and assure our colleagues that we will do everything we can to make sure that this section is not in the final version. We would note that on page 6 there is a blank amount for a percentage and that should render the bill defective and therefore there is no concern that this bill would pass unamended.

"Thank you."

Senator Anderson rose again and stated:

"Mr. President, I just want to stand and state a few rebuttals.

"When a legislator wants a bill to regulate Oahu only, they immediately note it is applicable to islands with a population of 500,000 or more. We could do that if that's what your concerns are. Similarly, it can be done for the Island of Kauai, if they're interested in taking care of the ethanol problem because they still have sugar cane.

"Many forget that when we take the oath of office after a successful election, you are State Legislators. That's what I am. I have family on every island. I have friends on every island. And when you become a State Legislator you should be concerned about every single person in the state and what our decisions will cost them.

"As far as the comments made by my colleague from Kahaluu, I do remember when someone said that 'we're from Texas and it's the largest state in the union,' then somebody else said, 'we have Alaska,' and they responded, 'wait till it starts melting.'

"One thing I'd like to remind you is that Hawaiian Electric on Barbers Point is using coal, and we buy foreign coal, ship it in on foreign ships and unload it. So we're looking at other types of energy, other than the fossil fuel. But we can't buy anything from Alaska for your oil. But we can't buy anything from Alaska because the cost of shipping is high.

"So I look at every aspect of costs because that's what we're here for. People will say this is not your kuleana; it's Washington. That's partly true. But the cost factor is on our people, so as a State Legislator, I must look at cost.

"So it's not that we're opposed to looking at other types of energy, be it solar, geothermal, or ethanol. It's the cost that will be passed to all of the people in the state. If it's going to help your little island or your constituents, then I think we should have the bill. The bill can also be amended so we can take care of neighbor islands that have less than the amount of people that live on this particular island. And that way, there won't be any problems for you to stick up for the bill or vote against a certain part of it. As far as me, I'm going to vote against the whole bill.

"Thank you very much."

Senator Sakamoto rose to oppose the measure and stated:

"Mr. President, I rise in opposition to the bill.

"I wasn't going to speak until I heard our Senator from Kahaluu, whose district goes to Kahuku where I remember there used to be maybe 50 or 100 windmills out there and now I don't know if there are any still moving.

"We live in a district where, at least on this island -- and yes, we are a state -- on this land where I'm not sure we could put any windmills up because it will be next to somebody's house, somebody's school, somebody's view plain, somebody's burial site! I don't know if we can do any biomass! There's some ridiculousness going on. We talk about the island sinking. The Big Island of Hawaii is damn sinking because the volcano is spewing out this vog. The volcano is putting out so much heat that it's global warming in itself.

"We've got to start looking at the realities for today, the cost for today, and what makes sense for today! I don't mind talking issues, global warming, but this is a today issue and a state is sinking! This is not the time to do ridiculous things."

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

"Mr. President, I'll try to keep this short and sweet. I'm standing in favor of this measure with reservations.

"My reservations are that I believe it is an important issue but it's an issue that should be decided by the Public Utilities Commission. I don't believe we should rush in and do arbitrary percentages without sufficient input from the Public Utilities Commission who we are paying good money to look into these issues.

"Thank you."

Senator Kawamoto 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. 2723 was adopted and S.B. No. 2345, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Buen, Bunda, M. Ige, Iwase, Sakamoto, Slom, Tam, Tanaka).

Stand. Com. Rep. No. 2724 (S.B. No. 2690, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2724 be adopted and S.B. No. 2690, 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, once again I'm forced to vote 'no' on a bill because it establishes the probation services special fund.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2724 was adopted and S.B. No. 2690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2245, S.D. 1:

On motion by Senator Nakata, seconded by Senator Fukunaga and carried, S.B. No. 2245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2733 (S.B. No. 2575, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2733 be adopted and S.B. No. 2575, 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, again I rise to speak against the bill, establishing yet another special fund.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2733 was adopted and S.B. No. 2575, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2734 (S.B. No. 2164, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2734 was adopted and S.B. No. 2164, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2736 (S.B. No. 2287, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2736 was adopted and S.B. No. 2287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2738 (S.B. No. 3003, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2738 was adopted and S.B. No. 3003, 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 (Bunda).

Stand. Com. Rep. No. 2739 (S.B. No. 3002, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2739 be adopted and S.B. No. 3002, 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. 2739 was adopted and S.B. No. 3002, 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 (Bunda).

S.B. No. 2542, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2742 (S.B. No. 2578, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2742 was adopted and S.B. No. 2578, S.D. 1, 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, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2729, S.D. 1:

Senator Kanno moved that S.B. No. 2729, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to oppose the measure and stated:

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

"The bill establishes a regulatory scheme for the regulation of service contracts and it vests additional authority with the insurance commissioner. Testimony indicated that there really is no problem that needs to be fixing here. There is a blank amount for registration and a blank amount for annual fees, and I think this is going to have a deleterious effect on existing businesses and businesses that we might try to attract.

"Thank you."

Senator Inouye requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2729, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Anderson, Bunda, Matsuura).

S.B. No. 2818, S.D. 1:

Senator Kanno moved that S.B. No. 2818, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose in opposition to the measure as follows:

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

"Mr. President, I learned a new term during the discussion of this bill -- viatical. This is referred to as the viatical settlements act, and what it refers to is the process of people selling their life insurance policies for a reduced amount of money so that they have cash benefits at the present time. It is a practice that has gone on for quite some time. It is a practice that has not indicated that there is any problem, crime, fraud or anything

else. It is in fact a practice which has spawned a new industry and a Viatical Association of America.

"I was distressed to learn that the insurance commissioner, reporting on the administration's position on this bill, said that it is a matter of social public policy that we oppose the right of choice for people to sell their own insurance policies.

"Now, a little background -- the practice of viatical transfers got a lot of publicity because of AIDS patients who were selling their policies. They may have had a million dollar policy that had a cash value of \$200,000 and they have sold it for \$100,000, and that policy, in turn, may have been sold to somebody else. In the meantime, the person had the use of those funds for whatever he or she wanted to use them for.

"However, the practice is not restricted to AIDS patients or to life insurance. Individuals who have key man insurance, key woman insurance in business who are allowed to take that with them as a benefit, also have that ability to sell. I don't think it's in violation of any social policy since the other 49 states all allow this, and in addition to that, we're talking about the choice of the individual to sell his or her life insurance or other insurance policy for whatever price in whatever manner they want to, to do whatever they want with the benefits.

"So, here again is an indication of the state looking for a problem that does not exist but trying to regulate something to get more involved to deny individuals the right of choice.

"It's a bad bill, Mr. President. I urge my colleagues to vote against it.

"Thank you."

Senator Tam rose on a conflict ruling as follows:

"Mr. President, I may have possible conflict of interest. I sell life insurance."

The Chair responded:

"The Chair rules no conflict. You may vote on this measure."

The motion was put by the Chair and carried, S.B. No. 2818, 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, 23. Noes, 1 (Slom). Excused, 1 (Taniguchi).

S.B. No. 2945, S.D. 1:

Senator Kanno moved that S.B. No. 2945, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak in opposition as follows:

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

"We were talking a little while ago about mitigating the circumstances for the elimination or reduction of pyramiding in the general excise tax which will take seven full years and will be limited to very few businesses that can actually qualify for it. Well, this bill proves that.

"Senate Bill 2945 is a bill to provide tax treatment or special treatment of servicing contracting for two specific areas -- banks and financial institutions and public service carriers. They would be able to take advantage of the reduction in the pyramiding, but no other businesses would. And so those other businesses, primarily the small non-regulated businesses, would still be faced with the problem hearing the governor talk about

how much money he's saving or costing the state and not being able to benefit from it.

"This is not a good bill because again we are carving out a very special exemption for two of our favorite areas, the banks and financial institutions, and public service companies. I urge a 'no' vote.

"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. 2945, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2589, S.D. 1:

Senator Kanno moved that S.B. No. 2589, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senators Slom, Anderson, Sakamoto, Bunda, Chun and D. Ige 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. 2589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:09 o'clock p.m.

S.B. No. 3195:

Senator Chumbley moved that S.B. No. 3195, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose to speak against the measure and said:

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

"If a person had a divorce and he or she were awarded X-number of dollars per month, and the husband has the property rentals and then can't keep up with the payments that they're supposed to make (and it can be on either side, the man or the woman), they may be subject to garnishment. Now, because they own rentals, the rental payments may be deemed wages. They ignore the fact there exists a mortgage. They don't look at the possibility that there's repair and maintenance on these places. And that disturbs me because it is not a wage per se that owners of rental property receive. The rents received are likely to be used to meet the mortgage payment.

"So consequently, I will be voting 'no.' I did check with the chairman and this issue did not come up in discussions. But those are my concerns.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, S.B. No. 3195, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2754 (S.B. No. 2442, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2754 be adopted and S.B. No. 2442, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose in support of the measure as follows:

"On behalf of all of the ladies who have been waiting all day, this is a good bill and we will be voting 'aye,' at least I will.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2754 was adopted and S.B. No. 2442, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2760 (S.B. No. 862, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2760 be adopted and S.B. No. 862, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I will be voting for this bill, but I have some reservations.

"I don't think that we really want to legalize marijuana for everyone because they're going to be saying that they are going to be using it for medical purposes. One of the people who was lobbied for the bill came in to see me. I really don't have a problem if we could designate a grower from each island, if necessary, who are designated as people you could buy from. And they said: 'Well, this is the way it's going on the mainland now. They're starting to go in that direction.'

"I don't think we should wait. I think we should look at this very seriously. If you only want to have one grower on whichever island, that's fine. But if you could have a grower on each island and those people that are in need of a marijuana medicated type situation, they could buy it from that person or through the doctors. And those are my concerns.

"Thank you very much, Mr. President."

Senator Sakamoto rose in opposition to the measure and stated:

"Mr. President, I rise in strong opposition.

"I'm opposed to this measure allowing medical marijuana to be used because potential criminal activities could result and the social problems that it will create. Certainly, compassion for the ill and finding ways to lessen their pain which is a stated intent of the bill is commendable. But the bill opens floodgates to a lot of problems.

"We live in an age where protecting our children is our first priority. We sit here considering more stringent gun control measures. Nationwide there's talk of trigger locks. We require child locks on every household item -- from drain cleaners to common aspirin.

"My question is, How do we child-proof marijuana? The law is problematic at best. How will we dispense this drug? There are other questions of planting, cultivation, distribution, and

how one acquires marijuana since it's illegal to grow. Maybe the Senator from Waimanalo will start growing some.

"Mr. President, this Legislature is not in the business of tempting people to bend the law, which this bill will almost certainly do. Passage of this measure will make marijuana use available not only to the qualified applicants but to others, such as caregivers, other professionals, and, more importantly, the children we are obligated to protect.

"Mr. President, today's Advertiser ran a story about a person who's a strong proponent of medical marijuana, a strong proponent of this measure. He was indicted in 1998 by the grand jury after his house was raided and police found what they claimed were 89 marijuana plants. His attorneys are planning to appeal his case in our State Supreme Court on the grounds of medicinal marijuana because he has asthma and insomnia. He has been arrested several times previously for possession, growing, and distribution of marijuana. I bring this story to your attention because it's a clear example of what this measure fails to recognize -- that there are people who may use the excuse of medical marijuana and this bill to conduct illegal activities.

"In closing, Mr. President, I've indicated some of my concerns to you and my colleagues and I firmly believe that this measure is premature, not only in its ambiguity, but also because of the ongoing court case on the Big Island which is going to be heard by our Supreme Court.

"I therefore ask my colleagues to oppose this measure."

Senator Inouye rose to speak against the measure and said:

"Mr. President, I will be speaking in opposition to this bill.

"I share the concerns raised by the Senator from Moanalua, and I believe that enforcement will be a big nightmare to all of us here in the State of Hawaii.

"Thank you."

At 4:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:20 o'clock p.m.

Senator Anderson rose and said:

"One thing, Mr. President. In talking to one of my colleagues, he thought that I didn't put enough emphasis on my 'W/R.' I should have said a strong W/R, but I didn't do that. (Laughter.)

"But in reality, the way the bill is written, anybody and his brother could grow marijuana wherever they wanted to. I used to have a cleaning business and I did clean an apartment for some people who had marijuana plants in their house. I didn't know until somebody told me about it. And I said, 'Hell, I've been watering it, vacuuming it.' (Laughter.) I wasn't even aware of what the plant was and I was ruining it for them.

"But I don't think that's what we want to do with this bill. That's why I said we should designate an area and allow someone to be able to enforce this bill that we have.

"Thank you."

Senator Chun rose to oppose the measure and said:

"Mr. President, I stand in opposition to this bill.

"Mr. President, just a couple of days ago, a couple of high school students from my island were visiting my office. And when I asked them what is the most serious issue confronting high schoolers nowadays, they all stated without hesitancy that

it's the drug problem, alcohol and drugs in the high school. And that's the report that we've been getting back time and time again -- that confronting our young people is the issue of drugs and alcohol.

"I find it amazing that in light of that truth, we would want to turn around right now and open that door further for medical use of marijuana.

"I've been doing some looking into the internet, which is such a wonderful thing nowadays. It has so much information that it makes me blind. But one of the things that I did pull out was a news article on ABC News that happened on October 29, 1998, and it's quoting drug czar Barry McCaffrey. And Mr. McCaffrey said:

"These initiatives" (in other words to legalize medical marijuana) "are simply not in accordance with good science, ignore the safety of the American people and send a bad message."

"With allied law enforcers and health officials by his side, McCaffrey urged voters to reject initiatives in Alaska, Nevada, Oregon, Washington State and California that would make marijuana legal, to varying degrees, for medicinal purposes.

"Proponents say marijuana, specifically in smoked form, has a range of valuable uses. Among the ailments pot is said to relieve are arthritis, premenstrual syndrome, nausea from chemotherapy, and the extreme weight loss associated with AIDS.

"But there's no science to back up those claims, say drug policy officials, and further, there's no precedent for letting citizens decide for themselves which drugs should be approved for public use.

"What we are saying is that we question whether this is the best way to make a law," says Leigh Leventhal, a spokeswoman for the Partnership for a Drug Free America. "Medical marijuana is a medical issue and we feel that this is really best left to the medical community to decide.

"It's better to make doctors and scientists decide what medicine to use through the process of the FDA, than to have John Doe standing in a voting booth decide," she says. "The way we make medicine in this country is tried and true, and they have to go through those rigors."

"McCaffrey and other critics denounce marijuana proponents' assertions that it's relatively safe. They point to NIH research showing that side effects of marijuana use include lung damage, rapid heart beat, loss of coordination, and impaired short-term memory. And the verdict, the researchers say, is still out on its damage to long-term memory."

"Mr. President, in light of all these facts, and even if there are disputes in terms of the medical side, I think the bottom line point of the statements by the U.S. drug czar is just that, that this is a medical issue and for us legislators here in this body to start to make decisions which drugs are good, which drugs are bad, which drugs are safe, without the requisite studies, without the requisite background none of us have -- that necessary background to make that decision -- is faulty. I believe we should stick with the tried and true method of, if drugs are to be legalized, it should go through a regular process by the federal drug agency. And that's the primary reason why I stand against this bill, Mr. President.

"Thank you." *

Senator Slom rose in favor of the measure and said:

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

"I didn't choose to be poster boy for the bill, but a couple of things that have been said here, first of all, our drug problem, I think, is well known and is really not going to be affected by passage of a medical marijuana bill. It's already rampant. We talk about the drug czar in the United States. We have spent more billions of dollars on fighting the war on drugs. We lost that war a long time ago. Everything that we try to do seems to have an adverse effect and we get different drugs and all of that.

"None of us that support this measure are supporting or advocating the unbridled use of marijuana. And certainly there could be constraints, but gee, haven't I heard for the last five-and-a-half hours that this is a bill, a work in progress, that we're just passing it along and we can add to it and change it along the way. Well, I think that that should apply to this bill as well.

"But you know what, the thing that really bothers me the most is, I've had people in my family that have had excruciating pain. And for them, whatever is an option, as a son, as a relative, as someone who cares, I want them to be able to do it.

"Government has been standing in the way. It's been government that's told doctors and individuals that they can't try alternative medicines; they can't try alternative products. And if a person is dying, what do we offer them? Well, we have some people in this body, and the governor, that support physician-assisted suicide. We have a best-selling author whose book has made him a millionaire telling us in graphic detail how to kill yourself, and it's playing on our local public television right now. That's one alternative. I guess that's one choice, but to deny people another choice just because we don't personally subscribe to it or we are not in those conditions, to take away that choice entirely, I think, is the wrong thing to do. And in fact, by passage of this legislation, you are allowing the doctors to make the decision.

"If you want more constraints and controls on it, limitations, so be it. Then we can do that. But it will be the doctor, ultimately, that prescribes or does not prescribe this particular product for particular patients.

"So, for those reasons, Mr. President, I will support this measure. Thank you."

Senator Matsunaga rose to support the measure as follows:

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

"Mr. President, first of all, any measure that the Senator from Hawaii Kai is the poster boy for, I feel very proud to stand in support of.

"The key issue of this bill is really the removal of criminal penalties for patients who use medical marijuana. Current federal and many state laws subject seriously ill patients to arrest and imprisonment for using marijuana. And I don't think there is anybody here on this floor today that believes that seriously ill patients should be arrested and sent to prison for using marijuana with their doctors' approval. The goal is to protect from arrest and imprisonment the tens of thousands of patients who are already using marijuana, as well as their doctors.

"I've heard the debate and the arguments and, with all due respect to Mr. McCaffrey, his arguments, unfortunately, didn't carry for him in any of the six states where votes were held. Every single state where it's been up for a popular vote, voters have approved the use of medical marijuana. In fact, a recent survey here shows that 77 percent of people support the use of medical marijuana.

"The Drug Enforcement Administration's chief administrative law judge, Francis Young, ruled 'marijuana in its

natural form is one of the safest therapeutically active substances known. It would be unreasonable, arbitrary, and capricious for the DEA to continue to stand between those sufferers and the benefit of this substance.'

"The other arguments, Mr. President, were that this sends a wrong message to our children. Well, Mr. President, children can and should be taught the difference between medicine and drug abuse. There are no substances in the entire Physicians' Desk Reference that children should use for fun. Harsh, uncompassionate laws like those that criminalize patients for using medicine, that's what sends the wrong message to children. Arguing that sick people should continue to suffer in order to protect children, that's what sends the wrong message to children.

"Mr. President, I believe it was William Faulkner who once stated, 'I believe that man will not merely endure: he will prevail. He is immortal, not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance.'

"Mr. President, I ask my colleagues for a compassionate vote today. Thank you."

Senator Matsuura rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"I oppose only one part of this bill and that is on the cultivation. I do support the Senator who just spoke about removing the criminal penalties for people who are using medical marijuana for medicinal purposes.

"Thank you."

Senator Tam rose in opposition and said:

"Mr. President, for reasons stated by my colleague from Kauai, I am voting 'no' on this bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2760 was adopted and S.B. No. 862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Buen, Chun, D. Ige, M. Ige, Inouye, Iwase, Kawamoto, Matsuura, Nakata, Sakamoto, Tam, Tanaka).

S.B. No. 445, S.D. 1:

Senator Fukunaga moved that S.B. No. 445, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Taniguchi and Slom 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. 445, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 2765 (S.B. No. 2496, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2765 was adopted and S.B. No. 2496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2767 (S.B. No. 2880, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2767 be adopted and S.B. No. 2880, 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. 2767 was adopted and S.B. No. 2880, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2793, S.D. 1:

Senator Kanno moved that S.B. No. 2793, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Nakata.

Senators Slom, Chun, Inouye 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. 2793, 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, 1 (M. Ige).

S.B. No. 2802, S.D. 1:

On motion by Senator Kanno, seconded by Senator Fukunaga and carried, S.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2772 (S.B. No. 2911):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2772 was adopted and S.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING 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. 2774 (S.B. No. 2434, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2774 be adopted and S.B. No. 2434, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition and said:

"Mr. President, a 'no' vote for me. It creates a substance abuse program special fund.

"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. 2774 was adopted and S.B. No. 2434, 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, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2777 (S.B. No. 2469, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2777 was adopted and S.B. No. 2469, 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.

At 4:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:38 o'clock p.m.

Stand. Com. Rep. No. 2779 (S.B. No. 3122, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2779 be adopted and S.B. No. 3122, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

"Mr. President, I'll be voting 'no.'

"Primarily, when this first came up it was called the Kaneohe bill because I guess Kaneohe Bay has more piers than anywhere else. But throughout our state, we have piers all over the place and this means that the Department of Land and Natural Resources, even though the state has not spent a dime to build any of those piers, will find how they can assess a fee. Now, my understanding is that it will drop dead in five years, but if they assess a fee, the fee will not drop dead in five years. The bill will. But by that time they'll have already assessed everybody. That's the way I read it.

"So if in fact I built a pier 20 years ago and it's still good, I'd make sure that I have it under the proper maintenance, and then they're going to charge me for the very pier that I paid for.

"I don't think that that's a fair way to look at it. So I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2779 was adopted and S.B. No. 3122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2780 (S.B. No. 791, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2780 be adopted and S.B. No. 791, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose and said:

"A 'no' vote, please."

The Chair so ordered.

Senators Iwase and Anderson 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. 2780 was adopted and S.B. No. 791, 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, 21. Noes, 3 (Buen, M. Ige, Slom). Excused, 1 (Sakamoto).

Stand. Com. Rep. No. 2781 (S.B. No. 3132, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2781 be adopted and S.B. No. 3132, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, it creates the information technology initiative special fund. I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2781 was adopted and S.B. No. 3132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1242, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

S.B. No. 2831, S.D. 1:

By unanimous consent, action on S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Thursday, March 9, 2000.

Stand. Com. Rep. No. 2482 (S.B. No. 2883, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2482 was adopted and S.B. No. 2883, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

"About four hours ago, Mr. President, the kind Senator of Waihila Ridge and I were involved in a debate. I thought I challenged him first of all to a debate on the Second Amendment and then he challenged me to a debate on the Second Amendment. I accept and I know he accepts, but then he went further, Mr. President, and he challenged me to basketball.

"I am really sorry that we ended the bipartisan Senate/House basketball team, of which I was a loyal member, just because we broke the leg of the now Judiciary chairman in the House. I don't think that's an excuse to end it. But where I come from, when you are challenged to something, Mr. President, in fact you must accept the challenge. Therefore, I do accept the challenge, and I'm going to put the ball in the kind Senator's court.

"Thank you, Mr. President."

Senator Anderson then rose on a point of personal privilege and stated:

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

"I read an article this morning whereby it accuses us. There will be an appointment tomorrow of our attorney general. The article more or less reads that he should be appointed because it's an election year. And that's what bothers me.

"I would hope everybody here votes, whichever way you're going to vote, but not because it's an election year. We can't have gambling because it's election year; not the right time for this bill; we need a study. So if you don't know, do your homework, find out what you're going to do. And if you do know, don't say, 'Well, I really wanted to go this route but it's an election year, so I'll go along with the group.' And that's all I've got to say, Mr. President.

"Thank you very much."

ADJOURNMENT

At 4:45 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 9, 2000.