

FIFTY-FIFTH DAY

Monday, April 18, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain (Lt. Col.) Herman Keizer, Jr., Division Chaplain at Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives Fukunaga, Horita, Ihara, Levin, Tajiri, Taniguchi and Tom, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fourth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fourth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 901 to 1040) were read by the Clerk and were placed on file:

Sen. Com. No. 901, returning House Bill No. 1604, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 902, returning House Bill No. 2429, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN EXEMPTION," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 903, returning House Bill No. 2732, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION FUND," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 904, returning House Bill No. 2904, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII MALPRACTICE FUND," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 905, returning House Bill No. 3484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 906, returning House Bill No. 3512, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 907, returning House Bill No. 3522, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES," which passed Third Reading in the Senate on April 15, 1988.

Sen. Com. No. 908, transmitting Senate Concurrent Resolution No. 3, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SHARING OF FINGERPRINT IDENTIFICATION INFORMATION THROUGH AUTOMATED FINGERPRINT INFORMATION SYSTEMS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 909, transmitting Senate Concurrent Resolution No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE IMPOSITION OF FEES FOR FRIVOLOUS MOTIONS AND CIVIL ACTIONS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 910, transmitting Senate Concurrent Resolution No. 13, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF DEFENSE TO PLAN AND DESIGN A MEMORIAL TO HONOR CIVILIAN VICTIMS OF THE ATTACK ON PEARL HARBOR," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 911, transmitting Senate Concurrent Resolution No. 15, entitled: "SENATE CONCURRENT RESOLUTION URGING MERCHANTS AND THE STATE GOVERNMENT TO RECOGNIZE MILITARY IDENTIFICATIONS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 912, transmitting Senate Concurrent Resolution No. 19, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENT," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 913, transmitting Senate Concurrent Resolution No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING A PHARMACEUTICAL ASSISTANCE PROGRAM FOR THE ELDERLY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 914, transmitting Senate Concurrent Resolution No. 29, entitled: "SENATE CONCURRENT RESOLUTION CHANGING THE NAME OF HILO AIRPORT TO HILO INTERNATIONAL AIRPORT AND NAMING THE MAIN TERMINAL 'GENERAL LYMAN TERMINAL'," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 915, transmitting Senate Concurrent Resolution No. 33, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORTR THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 916, transmitting Senate Concurrent Resolution No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE EFFECTIVENESS OF CHAPTER 1 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT IN HAWAII'S PUBLIC SCHOOLS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 917, transmitting Senate Concurrent Resolution No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT A STUDY ON PROVIDING RENTAL HOUSING," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 918, transmitting Senate Concurrent Resolution No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE DEVELOPMENT CORPORATION TO CONDUCT A FEASIBILITY STUDY ON RENTAL HOUSING," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 919, transmitting Senate Concurrent Resolution No. 45, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A YOUTH SPORTS AND FITNESS INSTITUTE IN THE HEALTH, PHYSICAL EDUCATION AND RECREATION DEPARTMENT," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 920, transmitting Senate Concurrent Resolution No. 46, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY ON VETERAN PROGRAMS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 921, transmitting Senate Concurrent Resolution No. 48, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A DETERMINATION OF THE BEST MEANS OF MEETING THE MENTAL HEALTH NEEDS OF THE HEARING IMPAIRED POPULATION IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 922, transmitting Senate Concurrent Resolution No. 49, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY AND ACCESSIBILITY OF ADULT RESIDENTIAL CARE HOMES, INTERMEDIATE CARE, AND SKILLED NURSING BEDS FOR VETERANS THROUGHOUT THE STATE OF HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 923, transmitting Senate Concurrent Resolution No. 51, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING A MASTER PLAN AND AN INTERNATIONAL HEALTH EXPOSITION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 924, transmitting Senate Concurrent Resolution No. 52, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ACQUIRING A STATE AIRPLANE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 925, transmitting Senate Concurrent Resolution No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DEVELOPMENT ALTERNATIVES FOR THE KA'U DISTRICT," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 926, transmitting Senate Concurrent Resolution No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF PROVIDING LONG-TERM CARE INSURANCE COVERAGE THROUGH THE PUBLIC EMPLOYEES HEALTH FUND," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 927, transmitting Senate Concurrent Resolution No. 58, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE COST OF MANDATING COVERAGE FOR OUTPATIENT THERAPY SERVICES FOR ARTHRITIS

PATIENTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 928, transmitting Senate Concurrent Resolution No. 59, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE HEALTH RISKS UPON EXPOSURE TO THE EMISSIONS PRODUCED BY THE BURNING OF SUGARCANE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 929, transmitting Senate Concurrent Resolution No. 63, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING STATE AND COUNTY GOVERNMENTS TO SUPPORT GOVERNMENT EMPLOYEES' FIRST AMENDMENT RIGHT TO TESTIFY AT LEGISLATIVE HEARINGS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 930, transmitting Senate Concurrent Resolution No. 64, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ACCESS TO GOVERNMENTAL SERVICES FOR IMMIGRANTS WHO SPEAK LIMITED ENGLISH," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 931, transmitting Senate Concurrent Resolution No. 66, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT ASSIST THE CITY AND COUNTY OF HONOLULU IN A STUDY OF THE AUTOMOBILE SCRAP RECYCLING INDUSTRY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 932, transmitting Senate Concurrent Resolution No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO RETURN THE ISLAND OF KAHŌ'OLAWĒ TO THE STATE OF HAWAII AND THE COUNTY OF MAUI," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 933, transmitting Senate Concurrent Resolution No. 71, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO URGE THE CENSUS BUREAU TO COUNT ETHNIC GROUPS SEPARATELY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 934, transmitting Senate Concurrent Resolution No. 73, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVIEW INSPECTION PROCEDURES TO MINIMIZE THE INTRODUCTION OF INSECT PESTS INTO HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 935, transmitting Senate Concurrent Resolution No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A CONTROL PROGRAM FOR THE RED-VENTED AND RED-WHISKERED BULBULS TO PROTECT HAWAII'S AGRICULTURE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 936, transmitting Senate Concurrent Resolution No. 76, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HONOLULU POLICE DEPARTMENT TO PROVIDE DATA AND OTHER INFORMATION RELEVANT TO THE ISSUE OF REGULATING LOCKSMITHING SERVICES OR SKILLS IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 937, transmitting Senate Concurrent Resolution No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A LONG-TERM CARE PLAN FOR HAWAII'S OLDER ADULTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 938, transmitting Senate Concurrent Resolution No. 80, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE IMPACT OF FOREIGN INVESTMENT IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 939, transmitting Senate Concurrent Resolution No. 82, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE DEVELOPMENT OF LUALUALEI SHAFT WATER FOR USE BY WAIANAE FARMERS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 940, transmitting Senate Concurrent Resolution No. 83, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY OF THE UNIVERSITY OF HAWAII FACULTY SALARY AND TEACHING LOAD," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 941, transmitting Senate Concurrent Resolution No. 84, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE GROWTH AND DEVELOPMENT OF HIGH TECHNOLOGY IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 942, transmitting Senate Concurrent Resolution No. 86, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING CHILD CARE CENTERS THROUGHOUT THE UNIVERSITY OF HAWAII CAMPUSES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 943, transmitting Senate Concurrent Resolution No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PLAN FOR AND TO IMPLEMENT A STATEWIDE CENTER FOR SENSORY IMPAIRED STUDENTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 944, transmitting Senate Concurrent Resolution No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO SUPPORT THE DEVELOPMENT AND EXPANSION OF THE TUNA FISHING INDUSTRY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 945, transmitting Senate Concurrent Resolution No. 92, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII BOARD OF REGENTS AND ADMINISTRATION TO ESTABLISH A HAWAIIAN STUDIES FACILITY COMPLEX AT THE UNIVERSITY OF HAWAII, HILO CAMPUS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 946, transmitting Senate Concurrent Resolution No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF RESTRUCTURING THE GOVERNANCE OF HAWAII'S POST SECONDARY

EDUCATION SYSTEM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 947, transmitting Senate Concurrent Resolution No. 95, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO SUBMIT RECOMMENDATIONS ON HOW TO CURB THE IMPROPER USE OF ANABOLIC ANDROGENIC STEROIDS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 948, transmitting Senate Concurrent Resolution No. 97, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING INTERESTED PARTIES TO JOINTLY PROPOSE SOLUTIONS TO VARIOUS ISSUES RELATED TO LEASEHOLD CONDOMINIUMS AND COOPERATIVES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 949, transmitting Senate Concurrent Resolution No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO ESTABLISH 'IMAGINARIUMS' IN THE PUBLIC SCHOOLS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 950, transmitting Senate Concurrent Resolution No. 100, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE PROBLEMS OF CONDOMINIUM GOVERNANCE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 951, transmitting Senate Concurrent Resolution No. 101, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT S. 1697 CONCERNING DISCLOSURES BY FOREIGN INVESTORS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 952, transmitting Senate Concurrent Resolution No. 104, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT ON IMPLEMENTATION OF RECOMMENDATIONS RELATING TO THE COUNTY/STATE HOSPITAL SYSTEM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 953, transmitting Senate Concurrent Resolution No. 107, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ALTERNATIVE SENTENCES FOR INTRAFAMILY CHILD SEX OFFENDERS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 954, transmitting Senate Concurrent Resolution No. 108, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT ALL DOMESTIC AIRLINES PROVIDING SERVICE TO AND FROM HAWAII CONDUCT A SURVEY ON THE FEASIBILITY OF PROVIDING NONSMOKING FLIGHTS BETWEEN THE ISLANDS AND THE MAINLAND," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 955, transmitting Senate Concurrent Resolution No. 111, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT THE CODIFICATION OF THE FAIRNESS DOCTRINE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 956, transmitting Senate Concurrent Resolution No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT AND ADVANCE HAWAII'S 1990 HEALTH OBJECTIVES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 957, transmitting Senate Concurrent Resolution No. 114, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE SOCIAL AND FINANCIAL IMPACT OF MANDATING INSURANCE COVERAGE FOR NATUROPATHIC CARE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 958, transmitting Senate Concurrent Resolution No. 117, entitled: "SENATE CONCURRENT RESOLUTION URGING THE AD HOC COMMITTEE ON GENETICALLY MODIFIED ORGANISMS TO INCLUDE ENVIRONMENTAL CONCERNS, STATE AGENCY RESPONSIBILITIES, AND PROPOSED LEGISLATION IN ITS FINAL REPORT," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 959, transmitting Senate Concurrent Resolution No. 118, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO AFFORD PRIORITY FOR THE FACILITIES SUPPORT OF PROJECT HEAD START," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 960, transmitting Senate Concurrent Resolution No. 120, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ESTABLISH A WORKING GROUP OF AGENCIES TO ADDRESS THE NEEDS OF AT-RISK CHILDREN AND YOUTH IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 961, transmitting Senate Concurrent Resolution No. 124, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF AN INTERISLAND FERRY SYSTEM IN THE STATE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 962, transmitting Senate Concurrent Resolution No. 125, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION IN COOPERATION WITH THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY OF POSSIBLE TAX EXEMPTIONS AND OTHER INCENTIVES FOR PRIVATE BUSINESSES THAT DEVELOP TRANSPORTATION MANAGEMENT PROGRAMS SUCH AS CARPOOLING AND BUSPOOLING FOR THEIR EMPLOYEES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 963, transmitting Senate Concurrent Resolution No. 126, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE IMPACT ON TRAFFIC FLOW ON KAUAI IF BUS SERVICE IS PROVIDED FOR STUDENTS LIVING WITHIN ONE MILE OF A KAUAI PUBLIC SCHOOL," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 964, transmitting Senate Concurrent Resolution No. 127, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONSULT WITH THE DEPARTMENT OF TRANSPORTATION ON THE CONSTRUCTION OF

NEW PARKING STRUCTURES AND ON PARKING RULES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 965, transmitting Senate Concurrent Resolution No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EFFECTS OF REDUCING REGULATION OF PARATRANSIT SERVICES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 966, transmitting Senate Concurrent Resolution No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE JURISDICTIONAL AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION RELATING TO HELICOPTER OPERATIONS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 967, transmitting Senate Concurrent Resolution No. 131, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PRESENT A STATUS REPORT ON ITS HAZARDOUS WASTE MANAGEMENT PLAN TO THE LEGISLATURE BEFORE THE CONVENING OF THE FIFTEENTH LEGISLATIVE SESSION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 968, transmitting Senate Concurrent Resolution No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF INCREASING FOREIGN INVESTMENT IN THE UNITED STATES OF AMERICA," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 969, transmitting Senate Concurrent Resolution No. 134, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO RESOLVE THE ISSUE OF ESCALATING HEALTH CARE COSTS BY ESTABLISHING A COMPREHENSIVE NATIONAL HEALTH INSURANCE PROGRAM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 970, transmitting Senate Concurrent Resolution No. 135, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF PRIVATIZATION OF EMERGENCY MEDICAL SERVICES IN ALL COUNTIES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 971, transmitting Senate Concurrent Resolution No. 136, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO IMPROVE TRAFFIC FLOW ON THE PORTION OF NORTH KING STREET BEGINNING AT MIDDLE STREET AND ENDING AT DILLINGHAM BOULEVARD," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 972, transmitting Senate Concurrent Resolution No. 139, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEVELOP A COMPREHENSIVE MASTER PLAN CONSISTENT WITH THE NEEDS OF THE PEOPLE OF THE STATE OF HAWAII FOR THE DEVELOPMENT OF THE UNIVERSITY OF HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 973, transmitting Senate Concurrent Resolution No. 140, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY THE IMPACT OF THE

REORGANIZATION OF THE COLLEGE OF ARTS & SCIENCES OF THE UNIVERSITY OF HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 974, transmitting Senate Concurrent Resolution No. 144, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALOHA AND HAWAIIAN AIRLINES TO PROVIDE TO CHILDREN UNDER TWELVE YEARS OF AGE AIRFARES WHICH ARE ONE-HALF THE PRICE OF ADULT AIRFARES ON ALL INTER-ISLAND FLIGHTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 975, transmitting Senate Concurrent Resolution No. 145, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC WORKS OF THE CITY AND COUNTY OF HONOLULU TO DETERMINE WHAT IMPROVEMENTS NEED TO BE MADE TO KALIHI AND NIHI STREETS AND THE COSTS THEREOF," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 976, transmitting Senate Concurrent Resolution No. 146, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS AND THE SECURITIES AND EXCHANGE COMMISSION TO EXCLUDE RESALE OF CONDOMINIUM APARTMENTS FROM SECURITIES LAWS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 977, transmitting Senate Concurrent Resolution No. 147, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A SUNRISE REVIEW OF REGULATION FOR UNREGULATED COMPANIES HANDLING BUSINESS MONIES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 978, transmitting Senate Concurrent Resolution No. 148, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF YOUTH GANGS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 979, transmitting Senate Concurrent Resolution No. 153, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FREE MEDICAL AID FOR INDIGENT, SICK, AND DISABLED HAWAIIANS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 980, transmitting Senate Concurrent Resolution No. 154, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF CORRECTIONS TO ALLOW LOW-SECURITY RISK WARDS OF THE HAWAII YOUTH CORRECTIONAL FACILITY TO ASSIST THE SPECIAL OLYMPICS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 981, transmitting Senate Concurrent Resolution No. 155, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A PEACE STUDIES PROGRAM AS PART OF THE PUBLIC SCHOOL CURRICULUM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 982, transmitting Senate Concurrent Resolution No. 156, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS AND THE DEPARTMENT OF DEFENSE TO MITIGATE THE PROBLEMS OF INSUFFICIENT CHILD CARE AND SOCIAL MALADJUSTMENT ENCOUNTERED BY MILITARY PERSONNEL AND

FAMILY MEMBERS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 983, transmitting Senate Concurrent Resolution No. 157 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE PROBLEMS FACED BY OBSTETRICIANS AND GYNECOLOGISTS CONCERNING MEDICAL MALPRACTICE INSURANCE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 984, transmitting Senate Concurrent Resolution No. 160, entitled: "SENATE CONCURRENT RESOLUTION URGING ADOPTION OF THE COMPREHENSIVE MASTER PLAN FOR THE ELDERLY, UPDATE 1988," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 985, transmitting Senate Concurrent Resolution No. 162, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE NEED FOR AND IMPLEMENTATION OF A STATEWIDE TRAUMA CARE SYSTEM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 986, transmitting Senate Concurrent Resolution No. 163, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HOSPITAL INTERNS AND RESIDENTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 987, transmitting Senate Concurrent Resolution No. 164, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE STATE'S COMMITMENT TO CHILDREN AND YOUTH," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 988, transmitting Senate Concurrent Resolution No. 165, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT AND ADOPTION OF THE 'YOUNG AMERICANS ACT OF 1987'," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 989, transmitting Senate Concurrent Resolution No. 167, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A PACIFIC RIM AEROSPACE TECHNOLOGICAL EDUCATION CENTER (SPACE ACADEMY) AND SPACE EDUCATION SYSTEM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 990, transmitting Senate Concurrent Resolution No. 168, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE IMPLEMENTATION OF ENHANCED 911 SYSTEMS TO SERVE EVERY ISLAND," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 991, transmitting Senate Concurrent Resolution No. 170, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF OPTIONS TO EXPEDITE THE ESTABLISHMENT AND FILLING OF DEPARTMENT OF HUMAN SERVICES POSITIONS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 992, transmitting Senate Concurrent Resolution No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ARMY CORPS OF ENGINEERS TO ASSESS THE

CONDITION OF DRAINAGE SYSTEMS ON OAHU," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 993, transmitting Senate Concurrent Resolution No. 173, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE OCEAN RECREATION MANAGEMENT PLAN FOR THE STATE OF HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 994, transmitting Senate Concurrent Resolution No. 174, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING SEPARATE PRIMARY AND SECONDARY SCHOOLS ON THE HAMAKUA COAST OF HAWAII AND AT KOHALA, HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 995, transmitting Senate Concurrent Resolution No. 175, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH A CENTER FOR THE STUDY OF ACTIVE VOLCANOES AT THE UNIVERSITY OF HAWAII AT HILO," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 996, transmitting Senate Concurrent Resolution No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO SELECT A SITE FOR A BOAT LAUNCHING RAMP FOR THE NORTH KOHALA DISTRICT, ISLAND OF HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 997, transmitting Senate Concurrent Resolution No. 177, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO MEET STAFFING NEEDS IN HUMAN SERVICES DELIVERY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 998, transmitting Senate Concurrent Resolution No. 178, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE USE OF IMPACT FEES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 999, transmitting Senate Concurrent Resolution No. 179, entitled: "SENATE CONCURRENT RESOLUTION URGING THE RETENTION OF VIEW AND OPEN SPACE MAKAI OF KAWAIHAE MAHUKONA, HAWAII ROAD FROM KAWAIHAU TO UPOLO POINT, HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1000, transmitting Senate Concurrent Resolution No. 180, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING A HARVEST SEASON FOR SHEEP AT THE PU'UANAHULU AND PUU WAA WAA PUBLIC HUNTING AREAS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1001, transmitting Senate Concurrent Resolution No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO PROVIDE EXPERTISE AND ESTABLISH PROJECTS AND PROGRAMS OF MUTUAL BENEFIT TO THE UNIVERSITY AND THE ZOO," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1002, transmitting Senate Concurrent Resolution No. 184, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT INITIAL ACTIONS BE TAKEN FOR THE ORGANIZATION OF A PEACE CONFERENCE IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1003, transmitting Senate Concurrent Resolution No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH THE FAMILY COMMUNITY LEADERSHIP PROGRAM AS A PERMANENT PROGRAM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1004, transmitting Senate Concurrent Resolution No. 186, entitled: "SENATE CONCURRENT RESOLUTION URGING NEGOTIATION BETWEEN THE ARMED SERVICES AND HAWAII FINANCIAL INSTITUTIONS TO PROTECT CREDIT WORTHY MEMBERS OF THE ARMED FORCES FROM LOSS OF THEIR MOTOR VEHICLES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1005, transmitting Senate Concurrent Resolution No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADDING AEROSPACE SCIENCE COURSES, SUCH AS THOSE DEVELOPED BY THE CIVIL AIR PATROL, TO THE PUBLIC SCHOOL CURRICULUM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1006, transmitting Senate Concurrent Resolution No. 189, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT CONCERNING IMPLEMENTATION OF DIAMOND HEAD CRATER STATE PARK," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1007, transmitting Senate Concurrent Resolution No. 191, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO HOST A HAWAII TRADE SHOW IN CANADA," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1008, transmitting Senate Concurrent Resolution No. 192, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND CANADA WITH THE INCLUSION OF THE AMERICAN AFFILIATED PACIFIC STATES AS PARTICIPANTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1009, transmitting Senate Concurrent Resolution No. 193, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT OF FOREIGN INVESTMENT IN HAWAII," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1010, transmitting Senate Concurrent Resolution No. 194, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1011, transmitting Senate Concurrent Resolution No. 195, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR THE PURPOSE OF A BERTHING FACILITY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1012, transmitting Senate Concurrent Resolution No. 196, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER AND A FUEL/PUMP OUT FACILITY," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1013, transmitting Senate Concurrent Resolution No. 197, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHU LAGOON, HONOLULU, OAHU, HAWAII FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, RESEARCH, AND LIGHT INDUSTRIAL PURPOSES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1014, transmitting Senate Concurrent Resolution No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL COUNTIES OF THE STATE TO DEFINE AQUACULTURE AS A FORM OF AGRICULTURE UNDER THEIR GOVERNING ORDINANCES, CODES, RULES, AND REGULATIONS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1015, transmitting Senate Concurrent Resolution No. 199, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING AND PROMOTING THE USE OF NATIVE PLANTS IN LANDSCAPING," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1016, transmitting Senate Concurrent Resolution No. 202, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT AN HAWAIIAN STUDIES ACTION ALLIANCE AMONG THE VARIOUS CAMPUSES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1017, transmitting Senate Concurrent Resolution No. 204, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ADVOCATE THE INCLUSION OF THE HAWAIIAN LANGUAGE AMONG THOSE LANGUAGES REGARDED AS NATIVE AMERICAN LANGUAGES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1018, transmitting Senate Concurrent Resolution No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INVESTIGATION AND RESOLUTION OF PROBLEMS AND ISSUES RELATING TO THE HAWAIIAN HOME LANDS TRUST UNDER THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED AND THE PUBLIC LAND TRUST UNDER ARTICLE XII, SECTION 4 OF THE HAWAII STATE CONSTITUTION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1019, transmitting Senate Concurrent Resolution No. 207, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE ADOPTION OF RULES TO GOVERN THE USE OF KULEANA IN CONSERVATION DISTRICTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1020, transmitting Senate Concurrent Resolution No. 208, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF HAVING THE POLICE INCREASE ITS VISIBILITY ON PUBLIC SCHOOL CAMPUSES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1021, transmitting Senate Concurrent Resolution No. 209, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FOREIGN INVESTMENTS IN REAL PROPERTY AND ITS IMPACT ON THE STATE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1022, transmitting Senate Concurrent Resolution No. 212, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF MAKING THE SPORT OF TUG-OF-WAR AN INTER-SCHOLASTIC SPORT WITHIN THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1023, transmitting Senate Concurrent Resolution No. 213, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1024, transmitting Senate Concurrent Resolution No. 216, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE STATE'S TOBACCO TAX," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1025, transmitting Senate Concurrent Resolution No. 218, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY AGENCIES TO DISCOURAGE THE RELEASE OF HELIUM FILLED BALLOONS ON PUBLIC LANDS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1026, transmitting Senate Concurrent Resolution No. 219, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE PROBLEM CREATED BY THE UNTIMELY TRANSFERS OF PUBLIC SCHOOL EDUCATIONAL OFFICERS AND TO FORMULATE A POLICY TO RESOLVE THE PROBLEM," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1027, transmitting Senate Concurrent Resolution No. 221, entitled: "SENATE CONCURRENT RESOLUTION URGING THE REVISION OF THE HAWAII STATE PLAN TO ADDRESS LOW-INCOME AND SPECIAL NEEDS GROUPS HOUSING NEEDS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1028, transmitting Senate Concurrent Resolution No. 227, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TURN OVER TO THE COUNTY OF HAWAII, BY EXECUTIVE ORDER, THE REMAINING 80 ACRES OF THE OLD KONA AIRPORT PARK," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1029, transmitting Senate Concurrent Resolution No. 228, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO PLAN FOR AND SELECT A SITE FOR AN ARTISAN'S MARKET FOR KONA," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1030, transmitting Senate Concurrent Resolution No. 230, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE LAW IN ORDER TO PREVENT THE IMPOVERISHMENT OF A PERSON WHOSE SPOUSE NEEDS MEDICAID TO HELP PAY FOR LONG-TERM INSTITUTIONAL CARE," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1031, transmitting Senate Concurrent Resolution No. 234, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESERVATION OF TOYO THEATER SO IT MAY BE LEASED TO THE HAWAII THEATRE FOR YOUTH," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1032, transmitting Senate Concurrent Resolution No. 235, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU DEVELOP A LANDLORD-TENANT CODE FOR COMMERCIAL LEASES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1033, transmitting Senate Concurrent Resolution No. 236, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE TRANSFER OF DEVELOPMENT RIGHTS," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1034, transmitting Senate Concurrent Resolution No. 238, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE STATE TOURISM OFFICE, DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1035, transmitting Senate Concurrent Resolution No. 239, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAIIAN LANGUAGE NEEDS FOR THE MOST EFFECTIVE MEANS OF PRESERVATION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1036, transmitting Senate Concurrent Resolution No. 242, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED OPERATION AND DEVELOPMENT OF HAWAIIAN IMMERSION/MEDIUM PROGRAMS BY THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1037, transmitting Senate Concurrent Resolution No. 244, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER OR DEVELOPERS CERTAIN PUBLIC AND SUBMERGED LANDS AT THE NORTHEAST SHORE SITE OF KE'EHU LAGOON, HONOLULU, OAHU, HAWAII, FOR RECREATIONAL, EDUCATIONAL AND COMMERCIAL PURPOSES IN CONJUNCTION WITH DEVELOPMENT OF THE NORTHEAST SHORE SITE PLAN FOR CANOE

FACILITIES," which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1038, transmitting Senate Concurrent Resolution No. 248, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE PROGRESS OF THE ACTION ALLIANCE BETWEEN THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, MANOA, AND THE COLLEGE OF AGRICULTURE, HILO," which was adopted by the Senate on April 15, 1988.

By unanimous consent, further action on S.C.R. Nos. 3, SD 1; 5, SD 1; 13, SD 1; 15; 19; 25; 29; 33, SD 1; 40; 41; 43; 45, SD 1; 46; 48; 49; 51, SD 1; 52, SD 1; 55, SD 1; 56; 58, SD 1; 59, SD 1; 63, SD 1; 64, SD 1; 66, SD 1; 68; 71; 73, SD 1; 74, SD 1; 76, SD 1; 77; 80, SD 1; 82, SD 1; 83, SD 1; 84; 86, SD 1; 88, SD 1; 91, SD 1; 92, SD 1; 93; 95, SD 1; 97, SD 1; 99; 100, SD 1; 101; 104, SD 1; 107, SD 1; 108, SD 1; 111; 113; 114, SD 1; 117; 118; 120, SD 1; 124, SD 1; 125, SD 1; 126, SD 1; 127, SD 1; 129, SD 1; 130; 131, SD 1; 133, SD 1; 134; 135, SD 1; 136, SD 1; 139, SD 1; 140; 144; 145, SD 1; 146; 147; 148; 153, SD 1; 154, SD 1; 155; 156, SD 1; 157; 160; 162, SD 1; 163, SD 1; 164; 165; 167; 168, SD 1; 170; 171, SD 1; 173; 174, SD 1; 175; 176; 177, SD 1; 178, SD 1; 179; 180, SD 1; 183, SD 1; 184, SD 1; 185; 186; 188; 189, SD 1; 191; 192, SD 1; 193, SD 1; 194; 195; 196; 197, SD 1; 198; 199, SD 1; 202, SD 1; 204, HD 1; 205; 207; 208; 209, SD 1; 212; 213; 216; 218; 219; 221; 227, SD 1; 228, SD 1; 230, SD 1; 234, SD 1; 235, SD 1; 236; 238; 239; 242; 244; and 248 was deferred.

Sen. Com. No. 1039, returning House Concurrent Resolution No. 18, which was adopted by the Senate on April 15, 1988.

Sen. Com. No. 1040, informing the House that the Senate has adopted House Concurrent Resolution No. 31, HD 1, SD 1, on April 15, 1988.

At 11:47 o'clock a.m., Representative Bunda asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:40 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Fukunaga, Horita, Ihara, Levin, Tajiri and Taniguchi.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were referred as follows:

<u>SCR Nos.</u>	<u>Referred to:</u>
3	Committee on Judiciary, then to the Committee on Legislative Management
5	Committee on Judiciary
9	Jointly to the Committees on Judiciary and Finance
13	Committee on Judiciary, then to the Committee on Legislative Management
15	Committee on Water, Land Use, Development and Hawaiian Affairs

19	Committee on Ocean and Marine Resources	86	Committee on Higher Education and the Arts
25	Committee on Human Services, then to the Committee on Legislative Management	88	Committee on Health, then to the Committee on Education
29	Committee on Transportation	91	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Ocean and Marine Resources
33	Committee on Intergovernmental Relations	92	Committee on Higher Education and the Arts
40	Committee on Education	93	Committee on Higher Education and the Arts
41	Committee on Water, Land Use, Development and Hawaiian Affairs	95	Committee on Health
43	Committee on Housing and Community Development	97	Committee on Consumer Protection and Commerce
45	Committee on Higher Education and the Arts	99	Committee on Education
46	Committee on Human Services, then to the Committee on Legislative Management	100	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
48	Committee on Health	101	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Consumer Protection and Commerce
49	Committee on Human Services, then to the Committee on Legislative Management	104	Committee on Health
51	Committee on Health	107	Committee on Judiciary, then to the Committee on Legislative Management
52	Committee on Finance	108	Committee on Transportation
55	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Higher Education and the Arts	111	Jointly to the Committees on Judiciary and Intergovernmental Relations
56	Committee on Labor and Public Employment	113	Committee on Health
58	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management	114	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
59	Jointly to the Committees on Health and Agriculture	117	Jointly to the Committees on Health and Planning, Energy and Environmental Protection
63	Committee on Labor and Public Employment	118	Committee on Education
64	Committee on Labor and Public Employment	120	Committee on Human Services
66	Committee on Transportation	124	Committee on Transportation
68	Committee on Intergovernmental Relations	125	Committee on Transportation
71	Committee on Intergovernmental Relations	126	Jointly to the Committees on Transportation and Education
73	Committee on Agriculture	127	Committee on Transportation
74	Jointly to the Committees on Higher Education and the Arts and Agriculture	129	Committee on Transportation
76	Jointly to the Committees on Judiciary and Consumer Protection and Commerce	130	Committee on Transportation
77	Committee on Human Services	131	Committee on Planning, Energy and Environmental Protection
80	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Consumer Protection and Commerce	133	Committee on Water, Land Use, Development and Hawaiian Affairs
82	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture	134	Jointly to the Committees on Health and Intergovernmental Relations
83	Committee on Higher Education and the Arts, then to the Committee on Legislative Management	135	Committee on Health
84	Committee on Higher Education and the Arts		

136	Committee on Transportation	185	Committee on Higher Education and the Arts
139	Committee on Higher Education and the Arts	186	Jointly to the Committees on Consumer Protection and Commerce and Intergovernmental Relations
140	Committee on Higher Education and the Arts, then to the Committee on Legislative Management	188	Committee on Education
144	Committee on Transportation	189	Committee on Water, Land Use, Development and Hawaiian Affairs
145	Jointly to the Committees on Transportation and Intergovernmental Relations	191	Committee on Water, Land Use, Development and Hawaiian Affairs
146	Committee on Consumer Protection and Commerce	192	Committee on Intergovernmental Relations
147	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management	193	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
148	Committee on Human Services	194	Committee on Ocean and Marine Resources
153	Committee on Water, Land Use, Development and Hawaiian Affairs	195	Committee on Ocean and Marine Resources
154	Committee on Human Services	196	Committee on Ocean and Marine Resources
155	Committee on Education	197	Committee on Ocean and Marine Resources
156	Committee on Intergovernmental Relations	198	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Intergovernmental Relations
157	Committee on Consumer Protection and Commerce	199	Committee on Agriculture
160	Committee on Human Services	202	Committee on Higher Education and the Arts
162	Committee on Health	204	Committee on Intergovernmental Relations
163	Committee on Health, then to the Committee on Legislative Management	205	Committee on Water, Land Use, Development and Hawaiian Affairs
164	Committee on Human Services	207	Committee on Water, Land Use, Development and Hawaiian Affairs
165	Jointly to the Committees on Human Services and Intergovernmental Relations	208	Committee on Education
167	Committee on Higher Education and the Arts	209	Committee on Water, Land Use, Development and Hawaiian Affairs
168	Committee on Consumer Protection and Commerce	212	Committee on Education
170	Committee on Human Services	213	Committee on Labor and Public Employment
171	Committee on Intergovernmental Relations	216	Committee on Finance
173	Committee on Ocean and Marine Resources	218	Committee on Ocean and Marine Resources
174	Committee on Education	219	Committee on Education
175	Committee on Higher Education and the Arts	221	Committee on Housing and Community Development
176	Committee on Transportation	227	Committee on Water, Land Use, Development and Hawaiian Affairs
178	Committee on Finance, then to the Committee on Legislative Management	228	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Intergovernmental Relations
179	Committee on Water, Land Use, Development and Hawaiian Affairs	230	Jointly to the Committees on Health and Intergovernmental Relations
180	Committee on Water, Land Use, Development and Hawaiian Affairs	234	Committee on Higher Education and the Arts
183	Committee on Higher Education and the Arts		
184	Committee on Higher Education and the Arts		

235 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management

236 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management

238 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management

239 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management

242 Committee on Education

244 Committee on Ocean and Marine Resources

248 Committee on Higher Education and the Arts

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 485 and 486) were read by the Clerk and were disposed of as follows:

H.R. No. 485, entitled: "HOUSE RESOLUTION COMMENDING DUTY-FREE SHOPPERS, LTD., FOR ITS COMMUNITY SUPPORT OF NUMEROUS ORGANIZATIONS AND PROJECTS IN THE STATE OF HAWAII," was jointly offered by Representatives Say, Anderson, Andrews, Bellinger, Bunda, Hagino, Hashimoto, Hayes, Honda, D. Ige, M. Ige, Kanoho, Leong, Liu, Metcalf, Okamura, Peters, Ribellia, Shon, Tam and Taniguchi.

On motion by Representative Say, seconded by Representative Taniguchi and carried, H.R. No. 485 was adopted.

H.R. No. 486, entitled: "HOUSE RESOLUTION CONGRATULATING THE FIRST PRIORITY AND DRILL TEAM HAWAII SHOW TEAMS FOR WINNING IN THE CALIFORNIA-PACIFIC CHAMPIONSHIPS ON FEBRUARY 12-13, 1988," was jointly offered by Representatives Say, Alcon, Andrews, Cachola, Crozier, Fukunaga, Hashimoto, Hayes, Hirono, Honda, Kawakami, Metcalf, Okamura, Oshiro, Pfeil, Shon, Tajiri, Taniguchi and Tom.

On motion by Representative Say, seconded by Representative Hayes and carried, H.R. No. 486 was adopted.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1464-88 on H.C.R. No. 386, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Liu and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1475-88) recommending that S.B. No. 2856, SD 1, pass Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2856, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tom being excused.

THIRD READING

S.B. No. 2265, SD 1:

On motion by Representative Shon, seconded by Representative Takamine and carried, S.B. No. 2265, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tom being excused.

The Chair directed the Clerk to note that S.B. Nos. 2856 and 2265 had passed Third Reading at 1:43 o'clock p.m.

At 1:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:32 o'clock p.m.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 1464-88 on H.C.R. No. 386, HD 1:

On motion by Representative Bunda, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 386, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHĪ LAGOON, HONOLULU, OAHU, HAWAII FOR COMMERCIAL, RECREATIONAL, AND LIGHT INDUSTRIAL PURPOSES," was adopted.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Liu and carried, the rules were suspended for the purpose of reconsidering action previously taken.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to House Bill Nos. 6, HD 1 (SD 1); 1600, HD 2 (SD 2); 2146, HD 2 (SD 1); 2440, HD 2 (SD 1); 2519 (SD 1); 2851, HD 3 (SD 1); 3041 (SD 2); 3454, HD 1 (SD 1); and 3457, HD 1 (SD 1), seconded by Representative Liu and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 6, HD 1 (SD 1); 1600, HD 2 (SD 2); 2146, HD 2 (SD 1); 2440, HD 2 (SD 1); 2519 (SD 1); 2851, HD 3 (SD 1); 3041 (SD 2); 3454, HD 1 (SD 1); and 3457, HD 1 (SD 1).

At 3:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:40 o'clock p.m.

ANNOUNCEMENTS

Representative Takamine requested waiver of the 48-hour notice requirement to hear H.R. No. 455, and the Chair "so ordered."

Representative Takamine: "Tomorrow afternoon, at 1:30 in Conference Room 314, your Committees on Labor and Public Employment and Intergovernmental Relations will be hearing H.R. No. 455. This will be followed by hearings on several other House resolutions by your Committee on Labor and Public Employment only. Decision-making to follow if time permits."

Representative Leong: "Your Committee on Health will hold a public hearing tomorrow morning at 9:00 in Conference Room 314."

Representative Metcalf: "Conferees from your Committee on Water, Land Use, Development and Judiciary will be meeting in Senate Conference Room 4 this evening at 7:00 p.m."

Representative Souki: "Your Committee on Finance will continue to hold its conference at 8:00 p.m. tonight in Conference Room 305."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having Conference Committee meeting this afternoon at 4:30 in Room 3."

ADJOURNMENT

At 3:45 o'clock p.m., on motion by Representative Apo, seconded by Representative Liu and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 19, 1988.

FIFTY-SIXTH DAY

Tuesday, April 19, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Allan Lee of the United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Alcon, Fukunaga, Horita, Ihara, Lee, Metcalf, Souki and Yoshimura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fifth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fifth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1041 to 1047) were read by the Clerk and were placed on file:

Sen. Com. No. 1041, returning House Bill No. 3540, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," which passed Third Reading in the Senate on April 18, 1988.

Sen. Com. No. 1042, returning House Bill No. 2448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 18, 1988.

Sen. Com. No. 1043, returning House Bill No. 2426, entitled: "A BILL FOR AN ACT RELATING TO NUISANCES," which passed Third Reading in the Senate on April 18, 1988.

Sen. Com. No. 1044, returning House Bill No. 2085, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED PERSONS," which passed Third Reading in the Senate on April 18, 1988.

Sen. Com. No. 1045, returning House Bill No. 2083, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED PERSONS," which passed Third Reading in the Senate on April 18, 1988.

Sen. Com. No. 1046, informing the House that the Senate has reconsidered its action taken on April 7, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 2003, HD 1, and the amendments proposed by the House were agreed to by the Senate on April 15, 1988; and said bill, as thus amended, passed Final Reading in the Senate on April 18, 1988.

Sen. Com. No. 1047, informing the House that the Senate has reconsidered its action taken on March 22, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 21, SD 1, HD 1, and the amendments proposed by the House were agreed to by the Senate on April 15, 1988; and said bill, as thus amended, passed Final Reading in the Senate on April 18, 1988.

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

Representative Liu introduced Jason Fukuda, a sophomore at Maui High School and grandson of the late Mits Fukuda, who is involved in the Youth Legislature. He was accompanied by Charlie Nalepa.

Representative Shito introduced 42 gifted and talented students from Waipahu High School. They were accompanied by their teachers, Mrs. Eloise Nagareda and Mrs. Sonia Honda.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolutions (H.R. Nos. 178 and 438) and concurrent resolutions (S.C.R. Nos. 89, 100, 147, 177 and 235) were re-referred as follows:

H.R. Nos. Re-referred to:

178 Committee on Transportation

438 Committee on Consumer Protection and Commerce

S.C.R. Nos.

89 Jointly to the Committees on Consumer Protection and Commerce and Legislative Management

100 Jointly to the Committees on Consumer Protection and Commerce and Legislative Management

147 Jointly to the Committees on Consumer Protection and Commerce and Legislative Management

177 Jointly to the Committees on Human Services and Higher Education and the Arts

235 Jointly to the Committees on Consumer Protection and Commerce and Legislative Management

INTRODUCTION OF RESOLUTION

H.R. No. 487, entitled: "HOUSE RESOLUTION HONORING MASAO NANGAKU," was jointly offered by Representatives Hashimoto and Say and was read by the Clerk.

On motion by Representative Hashimoto, seconded by Representative Say and carried, H.R. No. 487 was adopted.

STANDING COMMITTEE REPORTS

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1476-88) recommending that H.R. No. 458, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Crozier, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 458, HD 1, entitled: "HOUSE RESOLUTION RELATING TO REAL PROPERTY HOME EXEMPTIONS," was referred to the Committee on Finance.

At 11:51 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:27 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Alcon, Horita, Ihara, Lee, Souki and Yoshimura.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1477-88) recommending that H.R. No. 396 be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 396, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF DISTINGUISHING BEER BREWERIES FOR THE PURPOSE OF TAXATION ACCORDING TO PRODUCTION LEVELS," was referred to the Committee on Legislative Management.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1478-88) recommending that H.R. No. 246 be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 246, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON COLLATERALIZATION REQUIREMENTS FOR DEPOSITS OF PUBLIC FUNDS," was referred to the Committee on Legislative Management.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1479-88) recommending that H.R. No. 379 be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 379, entitled: "HOUSE RESOLUTION REQUESTING A STUDY BY THE LEGISLATIVE REFERENCE BUREAU ON THE CONSISTENCY OF LAWS RELATING TO MINORS," was referred to the Committee on Legislative Management.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1480-88) recommending that H.R. No. 241 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 241, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF REQUIRING PROGRESS PHOTOGRAPHS OF ALL STATE-FUNDED CAPITAL IMPROVEMENT PROJECTS," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1481-88) recommending that H.R. No. 38, HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII STUDY THE FEASIBILITY OF ESTABLISHING A SPACE EDUCATION CENTER," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1482-88) recommending that H.R. No. 161 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 161, entitled: "HOUSE RESOLUTION REQUESTING TO TAKE STEPS TO SHIFT THE BURDEN OF REAL PROPERTY TAXES TO SPECULATORS," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1483-88) recommending that H.R. No. 445 be adopted.

Representative Apo moved that the report of the Committee be adopted and H.R. No. 445 be adopted, seconded by Representative Anderson.

Representative Anderson rose to speak against the resolution, stating:

"Mr. Speaker, if I read this correctly, it's a House resolution requesting the Department of Taxation to conduct a study on the State's tobacco tax. The last paragraph says: 'It has been alleged that untaxed cigarettes purchased through military outlets are being resold to the public.'

"I don't know if that's true. I do know that year's ago when I smoked, I may have bought a carton of cigarettes from a friend or something. Are we then saying that the military personnel are going to be charged more because we're going to tax them like we did with the liquor and a few other things?

"As it is, when you're in the military, you make a lot less money than most people and then to go ahead and have to pay exactly the same as everybody else does not seem fair. And if that's what we're doing, I would hope that everybody else would vote against this resolution.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 445, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE STATE'S TOBACCO TAX," was adopted.

Representatives Levin and Cachola, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Tourism, presented a joint report (Stand. Com. Rep. No. 1484-88) recommending that H.R. No. 331, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 331, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE WORLD CORPORATE GAMES OF 1990 TO BE HOSTED BY THE STATE OF HAWAII," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1485-88) recommending that H.R. No. 218, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 218, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO IDENTIFY LANDS IN THE STATE

INVENTORY THAT MAY BE SUITABLE FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS' HOMESTEADING PROGRAM," was adopted.

Representatives Metcalf and Hirono, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1486-88) recommending that H.R. No. 404, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 404, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE IMPACT OF THE TORT REFORM MEASURES ENACTED IN 1986," was adopted.

Representatives Metcalf and Crozier, for the Committees on Judiciary and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1487-88) recommending that H.R. No. 310, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 310, HD 1, entitled: "HOUSE RESOLUTION PROTESTING THE JAPANESE PRACTICE OF FINGERPRINTING ALL FOREIGNERS AND MINORITY RESIDENTS OF JAPAN," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1488-88) recommending that H.R. No. 401 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 401, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL 17-23 AS VICTIMS' RIGHTS WEEK IN HAWAII," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1489-88) recommending that H.R. No. 250 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 250, entitled: "HOUSE RESOLUTION REQUESTING A CHANGE IN THE ADMINISTRATIVE PROCEDURES FOR DISSEMINATING PUBLIC INFORMATION," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1490-88) recommending that H.R. No. 318, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 318, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF YOUTH GANGS," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1491-88) recommending that H.R. No. 382, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 382, HD 1, entitled: "HOUSE RESOLUTION REQUESTING CONSIDERATION OF REQUIRING CABLE

OPERATORS TO PROVIDE AID TO NONPROFIT GROUPS," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1492-88) recommending that H.R. No. 316, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 316, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE CANCELLATION AND REFUSAL TO RENEW HOMEOWNER'S INSURANCE POLICIES," was adopted.

Representatives Hirono and Shon, for the Committees on Consumer Protection and Commerce and Health, presented a joint report (Stand. Com. Rep. No. 1493-88) recommending that H.R. No. 312 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 312, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE NEED TO REGULATE HOSPICE CARE PROGRAMS," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1494-88) recommending that H.R. No. 313 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 313, entitled: "HOUSE RESOLUTION URGING CAUTION IN THE ADOPTION OF LOCAL MEASURED SERVICE FOR PRICING LOCAL TELEPHONE CALLS," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1495-88) recommending that H.R. No. 295, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 295, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE HAWAII LIFE AND DISABILITY INSURANCE GUARANTY ASSOCIATION," was adopted.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1496-88) recommending that H.R. No. 417, HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 417, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES AIR FORCE TO REPAIR AND REPLACE BRIDGES AND TO CONSTRUCT JETTIES AT BELLWIS AIR FORCE STATION IN SUCH MANNER AS TO REDUCE THE POSSIBILITY OF FLOODING IN WAIMANALO, OAHU," was adopted.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1497-88) recommending that H.R. No. 374, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 374, HD 1, entitled: "HOUSE RESOLUTION REQUESTING CANADA NOT TO PARTICIPATE IN THE SHELLING OF KAHOO LAWE AS PART OF THE 1988 RIMPAC MILITARY TRAINING EXERCISES," was adopted.

Representatives Crozier, Shito and Tam, for the Committees on Intergovernmental Relations; Housing and Community Development; and Education, presented a joint report (Stand. Com. Rep. No. 1498-88) recommending that H.R. No. 7, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 7, HD 1, entitled: "HOUSE RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORTR THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII," was adopted.

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1499-88) recommending that H.R. No. 29, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 29, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT A FIVE-YEAR EMPLOYMENT ASSESSMENT PLAN FOR THE STATE BE MADE," was adopted.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1500-88) recommending that H.R. No. 375 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 375, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT AND ADVANCE HAWAII'S 1990 HEALTH OBJECTIVES," was adopted.

Representatives Hagino and Tam, for the Committees on Human Services and Education, presented a joint report (Stand. Com. Rep. No. 1501-88) recommending that H.R. No. 235, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 235, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO COORDINATE AID TO THE WAIANAE COAST AREA," was adopted.

Representatives Hagino and Crozier, for the Committees on Human Services and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1502-88) recommending that H.R. No. 306, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 306, HD 1, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO ENACT LEGISLATION ENABLING AFDC RECIPIENTS TO EARN AND RETAIN GREATER INCOME FROM WORK," was adopted.

Representatives Shon and Crozier, for the Committees on Health and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1503-88) recommending that H.R. No. 131 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH COMMUNITY NOISE AND VEHICULAR NOISE ADMINISTRATIVE RULES ON OAHU BE MADE APPLICABLE TO ALL THE ISLANDS OF THE STATE," was adopted.

Representative Hagino, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1504-88) recommending that H.R. No. 449, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 449, HD 1, entitled: "HOUSE RESOLUTION RELATING TO CHILDREN AND YOUTH," was adopted.

Representative Hagino, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1505-88) recommending that H.R. No. 450, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 450, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE HAWAII YOUTH CORRECTIONAL FACILITY BE RENAMED THE KAYO CHUNG YOUTH FACILITY IN MEMORY OF THE LATE KAYO CHUNG," was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1506-88) recommending that H.R. No. 333, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 333, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INTEGRATED SCENIC SHORELINE PARK IN EAST OAHU EXTENDING FROM HANAUMA BAY TO MAKAPUU POINT," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1507-88) recommending that H.R. No. 373, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 373, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ADOPTION OF ADMINISTRATIVE RULES TO LIMIT THE TAKING OF TROPICAL FISH FOR AQUARIUM PURPOSES," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1508-88) recommending that H.R. No. 370, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 370, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A BAN

ON THE SALE OF ALL NONPRECIOUS STONY CORALS IN HAWAII," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1509-88) recommending that H.R. No. 311, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 311, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF INSTALLING EMERGENCY TELEPHONES IN REMOTE WINDWARD BEACH AREAS," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1510-88) recommending that H.R. No. 365, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 365, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES ADOPT RULES CONTROLLING O'OPU FISHING AROUND KAUAI COUNTY," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1511-88) recommending that H.R. No. 270, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 270, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A HAWAII STATE OCEAN RANGERS PROGRAM," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1512-88) recommending that H.R. No. 14, as amended in HD 2, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 14, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE OCEAN RESOURCES BRANCH OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO PUBLISH AN ANNUAL UPDATE TO THEIR COMPENDIUM OF STATE OCEAN AND MARINE POLICIES," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1513-88) recommending that H.R. No. 266, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 266, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A MAMALA BAY ARTIFICIAL REEF ZONE FOR RESEARCH AND OTHER NON-CONSUMPTIVE USES," was adopted.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1514-88) recommending that H.R. No. 267, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 267, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF EXPANDING THE HAWAII OCEAN CENTER CONCEPT BY INCLUDING MAJOR OCEAN EXHIBITS AND DISPLAYS IN THE ACTUAL MARINE ENVIRONMENT," was adopted.

Representatives Bunda and Andrews, for the Committees on Ocean and Marine Resources and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1515-88) recommending that H.R. No. 418 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 418, entitled: "HOUSE RESOLUTION REQUESTING THE CONTINUING SUPPORT OF LEGISLATION AND OTHER PROGRAMS TO HELP CONTROL THE PLASTIC AND NET POLLUTION OF OUR OCEANS," was adopted.

Representatives Bunda and Crozier, for the Committees on Ocean and Marine Resources and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1516-88) recommending that H.R. No. 173 be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and H.R. No. 173, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SUPPORT THE INCLUSION OF TUNA IN THE MAGNUSON ACT," was adopted.

Representatives Bunda and Crozier, for the Committees on Ocean and Marine Resources and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1517-88) recommending that S.C.R. No. 16, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and S.C.R. No. 16, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE COAST GUARD STATION AT NAWILIWILI, KAUAI, REMAIN OPEN," was adopted.

Representatives Bunda and Crozier, for the Committees on Ocean and Marine Resources and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1518-88) recommending that S.C.R. No. 30, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the joint report of the Committees was adopted and S.C.R. No. 30, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO REQUIRE THAT ARTIFICIAL ISLANDS, INSTALLATIONS, STRUCTURES, AND UNITED STATES FLAG VESSELS ENGAGED IN ECONOMIC ACTIVITY IN THE UNITED STATES EXCLUSIVE ECONOMIC ZONE BE REGISTERED WITH ONE OF THE STATES OF THE UNITED STATES," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1519-88) recommending that H.R. No. 451, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.R. No. 451, HD 1, entitled: "HOUSE RESOLUTION RELATING TO EFFORTS TO RE-OPEN HAIKU STAIRS," was adopted.

At 12:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B. No. 6, HD 1, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 6, HD 1, and H.B. No. 6, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Jones then rose to speak in favor of the bill, stating:

"Just real briefly, Mr. Speaker, I just want to commend the Chair for passing this bill which shows a true bipartisan support for victims' bills of rights which we've needed to have for years which was introduced years ago in the GOP package, and I am glad that both sides of the aisle have seen the need for this and will pass it today, and I appreciate the Chairman's efforts in that and also want to mention that I appreciate the years of efforts of Chuck Marsland in his desire to work with us to see these things pass.

"Therefore, I encourage my colleagues to support this, and thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 6, HD 1, and H.B. No. 6, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

By unanimous consent, H.B. No. 1600, HD 2, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1600, HD 2, and H.B. No. 1600, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CARE PAYMENTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. Nos. 6 and 1600 had passed Final Reading at 12:38 o'clock p.m.

By unanimous consent, H.B. No. 2048, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2048, HD 2, and H.B. No. 2048, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Anderson and Peters voting no, and Representative Metcalf being excused.

By unanimous consent, H.B. No. 2146, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2146, HD 2, and H.B. No. 2146, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PROGRAMS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

By unanimous consent, H.B. No. 2440, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2440, HD 2, and H.B. No. 2440, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE YEAR 2000," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. Nos. 2048, 2146 and 2440 had passed Final Reading at 12:39 o'clock p.m.

By unanimous consent, H.B. No. 2519, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2519, and H.B. No. 2519, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

By unanimous consent, H.B. No. 3454, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3454, HD 1, and H.B. No. 3454, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. Nos. 2519 and 3454 had passed Final Reading at 12:40 o'clock p.m.

By unanimous consent, H.B. No. 3457, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No.

3457, HD 1, and H.B. No. 3457, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OIL," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. No. 3457 had passed Final Reading at 12:41 o'clock p.m.

At 12:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:48 o'clock p.m.

the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 20, 1988.

ANNOUNCEMENTS

Representative Oshiro: "This afternoon at 3:00 p.m., Senate Conference Room 6, we will be continuing our conference on Transportation bills deferred from our April 13th conference. We have nine bills on the agenda."

Representative Takamine requested waiver of the 48-hour notice requirement to hear S.C.R. Nos. 56 and 213, and the Chair "so ordered."

Representative Takamine: "These two resolutions will be added to the agenda for the hearing by the Committee on Labor and Public Employment this afternoon at 1:30 in Conference Room 314. Decision-making to follow if time permits."

Representative Souki: "Your Committee on Finance will be continuing its joint conference with the Senate in Room 310 at 8:00 p.m. tonight."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having a Conference Committee meeting at 6:00 o'clock on various bills in Room 328."

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering action previously taken.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to H.B. Nos. 461 (SD 1), and 3416, HD 2 (SD 1), seconded by Representative Anderson and carried.

At 12:50 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 461 (SD 1) and 3416, HD 2 (SD 1).

ADJOURNMENT

At 12:55 o'clock p.m., on motion by Representative Apo, seconded by Representative Anderson and carried,

FIFTY-SEVENTH DAY

Wednesday, April 20, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Arthur Marutani of the Honpa Hongwanji Mission, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Bunda, Hagino, Horita, Ihara, Metcalf, Shito, Souki and Yoshimura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Sixth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Sixth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 148 to 154) were read by the Clerk and were placed on file:

Gov. Msg. No. 148, transmitting copies of Private Sector Training Needs in New and Emerging Fields, prepared by the State Commission on Employment and Human Resources, in response to Act 260, SLH 1986.

Gov. Msg. No. 149, transmitting copies of a report prepared and submitted by the University of Hawaii in response to H.R. 188/H.C.R. 110, requesting the University of Hawaii to develop and implement an educational assessment plan.

Gov. Msg. No. 150, transmitting copies of reports prepared by the Department of Health in response to H.C.R. 236/H.R. 399, requesting that the Department of Health in cooperation with the Department of Transportation determine the necessary rules, legislation and environmental impact determination and protection procedures regarding the discharge or leakage of water pollutants from vessels into or upon State waters, and H.C.R. 173/H.R. 288, requesting that the Department of Health test dispersants, develop recommendations on stockpiling dispersants best suited for Hawaiian waters and establish more efficient operating procedures in the event of an oil spill.

Gov. Msg. No. 151, transmitting copies of the report by the Executive Office on Aging, entitled: The Comprehensive Master Plan for the Elderly (Update 1988).

Gov. Msg. No. 152, transmitting copies of the "Chinatown Assessment Report, 1988," prepared by the Historic Hawaii Foundation for the Main Street Program in the Honolulu Chinatown area, which is in response to Act 216, Section 8, of the 1987 Hawaii State Legislature.

Gov. Msg. No. 153, transmitting copies of Maintenance of End-User Computer Resources of the Executive Branch of Hawaii State Government, in response to Section 266 of Act 216, 1987 Session Laws of Hawaii.

Gov. Msg. No. 154, informing the House that on April 19, 1988, he signed the following bill into law:

Senate Bill No. 3310 as Act 12, entitled: "RELATING TO HUNTING."

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. No. 1048 to 1051) were read by the Clerk and were placed on file:

Sen. Com. No. 1048, informing the House that the President has, on April 19, 1988, added Senator Yamasaki as an additional member on the part of the Senate at the conference on Senate Bill No. 112, SD 1, HD 1.

Sen. Com. No. 1049, informing the House that the President has, on April 19, 1988, added Senator Yamasaki as an additional member on the part of the Senate at the conference on Senate Bill No. 118, SD 2, HD 1.

Sen. Com. No. 1050, informing the House that the Senate has reconsidered its action taken on April 7, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 3175, SD 1, HD 1, and the amendments proposed by the House were on April 18, 1988 agreed to by the Senate; and said bill, as thus amended, passed Final Reading in the Senate on April 19, 1988.

Sen. Com. No. 1051, informing the House that the Senate has reconsidered its action taken on April 7, 1988, and that the amendments proposed by the House to Senate Bill No. 3042, SD 1 (HD 1), were agreed to by the Senate on April 19, 1988.

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

Representative O'Kieffe introduced his brother-in-law, Bill Ames; and son, Peter from Massachusetts, who were accompanied by his wife, Mrs. Tisha O'Kieffe.

Representative D. Ige introduced 60 students (Hawaiian Studies Class) from Pearl City High School. They were accompanied by their teachers, Mrs. McKenzie and Mrs. Palmyra. "I just wanted to add one note. Mrs. Nova-Jean McKenzie, I would like to send my special aloha. She was my tennis coach at Pearl City High School when we won the Western Division Championship.

At 11:55 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:14 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Arakaki, Hagino, Horita, Ihara, Metcalf and Yoshimura.

Representative D. Ige was then granted permission to make a late introduction and introduced Miss Lianna Ching, the 1988 Hawaii State Spelling Bee Champion, and an 8th grader at Pearl City Highlands Intermediate School. She was accompanied by her parents, Leroy and Sharleen Ching; sisters, Christina and Jennifer; Mrs. Rhoda Hiroka, Principal at Pearl City Highlands Intermediate School; Leona Yamatsuki and her husband, Walter, and their children, Kim, Kylee and Kendall.

At 12:16 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

Representative Alcon was permitted to make a late introduction and he introduced Mrs. Angie Callejo, Theresa Cabasag, Rose Balos, Donald Balos and Frank Cabasag.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolutions (S.C.R. Nos. 55 and 238) were re-referred as follows:

SCR. Nos. Re-referred to:

55 Committee on Water, Land Use, Development and Hawaiian Affairs

238 Committee on Tourism

STANDING COMMITTEE REPORTS

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1520-88) recommending that H.R. No. 454, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 454, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF AN ACTION PLAN TO ASSIST MOLOAA PAPAYA FARMERS," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1521-88) recommending that H.R. No. 364, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 364, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A TARO PROCESSING PLANT ON THE ISLAND OF KAUAI," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1522-88) recommending that S.B. No. 2461, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2461, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1523-88) recommending that S.B. No. 2793, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2793, SD 1,

entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIME," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1524-88) recommending that S.B. No. 2322 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2322, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1525-88) recommending that S.B. No. 3000, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 3000, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1526-88) recommending that S.B. No. 2870 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2870, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1527-88) recommending that S.B. No. 3011, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 3011, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Hirono and Metcalf, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1528-88) recommending that S.B. No. 2784, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative Metcalf and carried, the joint report of the Committees was adopted and S.B. No. 2784, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1529-88) recommending that S.B. No.

2794, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2794, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1530-88) recommending that S.B. No. 2798, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2798, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1531-88) recommending that S.B. No. 2790, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2790, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1532-88) recommending that S.B. No. 2797, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2797, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Hirono and Metcalf, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1533-88) recommending that S.B. No. 2803, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative Metcalf and carried, the joint report of the Committees was adopted and S.B. No. 2803, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIRECTOR'S SUBPOENA POWER," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1534-88) recommending that S.B. No. 2789, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2789, SD 1, entitled: "A BILL FOR AN ACT

RELATING TO CHIROPRACTIC," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1535-88) recommending that S.B. No. 2796 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2796, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1536-88) recommending that S.B. No. 2795 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2795, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY," passed Second Reading and was placed on the calendar for Third Reading.

At 12:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering action previously taken.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2090, HD 1 (SD 1); 2179, HD 2 (SD 1); 2390 (SD 1); 2706 (SD 1); and 3518 (SD 1), seconded by Representative Anderson and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2090, HD 1 (SD 1); 2179, HD 2 (SD 1); 2390 (SD 1); 2706 (SD 1); and 3518 (SD 1).

ANNOUNCEMENTS

Representative Hayes requested waiver of the 48-hour notice requirement for hearing S.C.R. Nos. 43 and 221, and the Chair "so ordered."

Representative Hayes: "Your Committee on Housing and Community Development will be

having a public hearing tomorrow, April 21, at 8:30 a.m. in Conference Room 314 on the above resolutions. Decision-making will follow if time permits."

Representative Lee: "Your Committee on Education will hold a public hearing tomorrow on one resolution at 1:30 p.m. in Room 416."

Representative Cachola requested waiver of the 48-hour notice requirement to hear S.C.R. No. 238, and the Chair "so ordered."

Representative Cachola: "There will be a public hearing for S.C.R. 238 tomorrow morning at 8:30 in Conference Room 328. And also, your House conferees will be meeting with the Senate counterpart for H.B. 3396 regarding the convention center and also S.B. 2284 relating to the Tourism Training Council today at 1:30 p.m. in Conference Room 328."

Representative Metcalf: "Your Conference Committee on Judiciary will conference this evening in House Conference Room 328 on House Bill 3009, HD 1, SD 2, relating to JPO's, at 6:00 p.m. in Conference Room 328."

Representative D. Ige requested waiver of the 48-hour notice requirement to hear House Resolution 458, HD 1, and Senate Concurrent Resolution 178, SD 1, and the Chair "so ordered."

Representative D. Ige: "Your Committee on Finance will be having a public hearing this afternoon at 1:30 p.m. in Conference Room 307. We will also be having a Majority caucus at 11:00 tomorrow in the Majority Caucus Room."

Representative Hirono requested waiver of the 48-hour notice requirement to hear S.C.R. Nos. 89, SD 1; 186, SD 1; H.R. No. 304; S.C.R. Nos. 147; 231, SD 1; 100, SD 1; 97, SD 1; 168, SD 1; 157; and H.R. No. 386, HD 1, and the Chair "so ordered."

Representative Hirono: "Your Committees on Consumer Protection and Commerce; Legislative Management; Intergovernmental Relations; and Judiciary will have a public hearing tomorrow morning at 10:00 a.m. on the aforementioned resolutions in Conference Room 328. Decision-making to follow if time permits. In addition, your Committee on Consumer Protection and Commerce will have a conference meeting this afternoon at 1:30 p.m. in the Majority Caucus Room on various insurance bills."

Representative Apo moved to keep the Journal open until 12:00 midnight this legislative day for the Clerk to receive Conference Committee Reports in order to comply with the constitutional 48-hour availability requirement before passage of bills on Final Reading, seconded by Representative Anderson and carried.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 21, 1988.

FIFTY-EIGHTH DAY

Thursday, April 21, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Dr. John Norris of the Hawaii Council of Churches, after which the Roll was called showing all members present with the exception of Representatives Horita, Peters and Souki, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Seventh Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Seventh Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 155, informing the House that on April 20, 1988, he signed the following bills into law was read by the Clerk and placed on file:

Senate Bill No. 3212 as Act 13, entitled: "RELATING TO HAWAII STATE HOSPITAL";

Senate Bill No. 3213 as Act 14, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 3287 as Act 15, entitled: "RELATING TO HOUSING"; and

House Bill No. 3159 as Act 16, entitled: "RELATING TO CORPORATIONS".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1052 and 1053) were read by the Clerk and were placed on file:

Sen. Com. No. 1052, informing the House that the Senate has reconsidered its action taken on April 7, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 1712, SD 3, HD 2, and the amendments proposed by the House were agreed to by the Senate on April 19, 1988; and said bill, as thus amended, has passed Final Reading in the Senate on April 20, 1988.

Sen. Com. No. 1053, informing the House that the Senate has adopted House Concurrent Resolution No. 386, HD 1, SD 1, authorizing the Department of Transportation to develop through a private developer certain fast, tidal, and submerged lands at Ke'ehi Lagoon, Honolulu, Oahu, Hawaii for commercial, recreational educational, research, and light industrial purposes, on April 20, 1988.

On motion by Representative Bunda, seconded by Representative Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.C.R. No. 386, HD 1 (SD 1).

In accordance therewith, the Chair appointed Representatives Bunda and Oshiro, Co-Chairmen;

Hashimoto, Yoshimura and O'Kieffe as Managers on the part of the House at such conference.

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

Representative Shon introduced a group of eleventh and twelfth grade students from Our Redeemer Lutheran High School. They were accompanied by their teachers, Mr. Mark Kemp and Ms. Ruth Crockett.

Representative Bellinger introduced Mr. Toller, National PTA representative from California, who was accompanied by Miss Debbie Hartman, the newest member of the Board of Education.

Representative Tam introduced Mr. Michael Vincent, "a very well informed person belonging to the PTSA where he has been testifying on various issues before the House Education Committee.

Representative Alcon introduced a group of first grade students from Hanalani Elementary School. They were accompanied by Ms. Ann Ishida, Ms. Joan Clark and Ms. Gail Keith.

Representative Cavasso introduced the daughter of Dr. Peter Mashimo, "who is a very special friend of mine."

Representative Okamura introduced 10 special education students from Aiea Intermediate School. They were accompanied by their teachers, Julie Uejo and Amy Hokama; and aides, Thelma Lum and Lani Timtim.

At 12:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:05 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Horita, Peters and Souki.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

Senate Bill No. 2980 was re-referred jointly to the Committees on Human Services and Judiciary.

The following concurrent resolutions were re-referred as follows:

SCR Nos. Re-referred to:

25 Jointly to the Committees on Human Services and Legislative Management

49 Jointly to the Committees on Human Services and Legislative Management

163 Jointly to the Committees on Health and Legislative Management

177 Committee on Higher Education and the Arts

STANDING COMMITTEE REPORTS

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1537-88) recommending that H.R. No. 369, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 369, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF PURCHASING HEEIA MEADOWLANDS," was adopted.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

S.B. No. 2322:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2322, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Third Reading by a vote of 51 ayes.

S.B. No. 2461, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2461, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2322 and 2461 had passed Third Reading at 12:06 o'clock p.m.

S.B. No. 2789, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2789, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed Third Reading by a vote of 51 ayes.

S.B. No. 2790, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2790, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2789 and 2790 had passed Third Reading at 12:07 o'clock p.m.

S.B. No. 2793, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2793, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIME," passed Third Reading by a vote of 51 ayes.

S.B. No. 2794:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2794, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2793 and 2794 had passed Third Reading at 12:08 o'clock p.m.

S.B. No. 2795:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2795, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY," passed Third Reading by a vote of 51 ayes.

S.B. No. 2796:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2796, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," passed Third Reading by a vote of 51 ayes.

S.B. No. 2797, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2797, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2795, 2796 and 2797 had passed Third Reading at 12:09 o'clock p.m.

S.B. No. 2798, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2798, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Third Reading by a vote of 51 ayes.

S.B. No. 2870, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 2870, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Third Reading by a vote of 51 ayes.

S.B. No. 3000, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 3000, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2798, 2870 and 3000 had passed Third Reading at 12:10 o'clock p.m.

S.B. No. 3011, SD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, S.B. No. 3011, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

S.B. No. 2784, SD 1:

On motion by Representative Hirono, seconded by Representative Metcalf and carried, S.B. No. 2784, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

S.B. No. 2803, SD 1:

On motion by Representative Hirono, seconded by Representative Metcalf and carried, S.B. No. 2803, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIRECTOR'S SUBPOENA POWER," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3011, 2784 and 2803 had passed Third Reading at 12:11 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1538-88) recommending that H.R. No. 442, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 442, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ADOPTION OF RULES TO GOVERN THE USE OF KULEANA IN CONSERVATION DISTRICTS," was referred to the Committee on Judiciary.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1539-88) recommending that H.R. No. 448, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 448, HD 1, entitled: "HOUSE RESOLUTION ASKING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO USE A LESS RESTRICTIVE INTERPRETATION OF THE BLOOD QUANTUM REQUIREMENT FOR SUCCESSION TO HAWAIIAN HOME LEASEHOLDS," was referred to the Committee on Judiciary.

Representatives Bunda and Metcalf, for the Committees on Ocean and Marine Resources and Judiciary, presented a joint report (Stand. Com. Rep. No. 1540-88) recommending that H.R. No. 354 be adopted.

Representative Bunda moved that the joint report of the Committees be adopted and H.R. No. 354 be adopted, seconded by Representative Metcalf.

Representative Ribellia rose to speak in favor of the resolution, stating:

"Mr. Speaker, this resolution is sorely needed for the community of Hawaii Kai because it will prevent a very serious problem in terms of using our shoreline areas for commercialization when they are fully intended for the general public recreational use. So, it will help us restore those lands for that use and prevent the problem from recurring again in the future.

"I urge all my fellow colleagues to vote favorably on the resolution.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and H.R. No. 354, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE AND CITY AND COUNTY OF HONOLULU PROHIBIT THE USE OF STATE AND CITY SHORELINE AND BEACH PARK AREAS ALONG MAUNALUA BAY IN HAWAII KAI FOR COMMERCIAL JET SKI ACTIVITIES AND RELATED ON-SITE PARKING," was adopted.

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1541-88) recommending that S.C.R. No. 56, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and S.C.R. No. 56, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF PROVIDING LONG-TERM CARE INSURANCE COVERAGE THROUGH THE PUBLIC EMPLOYEES HEALTH FUND," was adopted.

At 12:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

ANNOUNCEMENTS

Representative Lee: "Your Committee on Education will hold a public hearing at 1:30 in Room 416 this afternoon on one resolution. Decision-making to follow."

Representative Bellinger: "Your Committee on Transportation will have a public hearing this afternoon at 2:00 in the Majority Caucus Room."

Representative Crozier: "Tomorrow, the Intergovernmental Relations Committee will be having a hearing at 8:30 in the morning in one of the conference rooms so please check the board."

Representative Metcalf: "Your Conference Committee on Judiciary will be meeting in Room 328 this evening at 6:00."

Representative Takamine: "Senate and House conferees on Senate Bill 2298 will be meeting this afternoon at 4:30 p.m. in Conference Room 2."

Representative Hagino: "There will be a joint public hearing this afternoon at 4:00 p.m. First, it will be a joint hearing of Judiciary and IGR, followed by a joint hearing of Judiciary and Finance, followed by Judiciary only. Decision-making to follow if time permits. Conference Room is 416."

Representative Hagino then requested waiver of the 48-hour notice requirement for hearing S.C.R. Nos. 165; 77, 148; 164; 154, SD 1; 120, SD 1; 160 and 170, and the Chair "so ordered."

Representative Hagino: "There will be a public hearing tomorrow morning at 8:00 a.m. First, jointly with Human Services and IGR, followed by Human Services only on the noted resolutions. Conference Room 416."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having a Conference

Committee meeting this evening at 11:00 p.m. in Room 4 on bills relating to officers and directors and trustees."

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering actions previously taken.

RECONSIDERATION OF ACTIONS TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to House Bill Nos. 3451 (SD 1) and 3568, HD 2 (SD 1), seconded by Representative Anderson and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 3451 (SD 1) and 3568, HD 2 (SD 1).

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B. No. 2090, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2090, HD 1, and H.B. No. 2090, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAT BELTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 3518, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3518, and H.B. No. 3518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2090 and 3518 had passed Final Reading at 12:21 o'clock p.m.

At 12:22 o'clock p.m., Representative Liu asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

By unanimous consent, H.B. No. 2706, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2706, and H.B. No. 2706, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION AND WATER UTILIZATION PROJECT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2706 had passed Final Reading at 12:25 o'clock p.m.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

ADJOURNMENT

At 12:28 o'clock p.m., on motion by Representative Apo, seconded by Representative Anderson and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 22, 1988.

FIFTY-NINTH DAY

Friday, April 22, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Terrence Watanabe of the Cathedral of Our Lady of Peace, after which the Roll was called showing all members present with the exception of Representatives Cavasso, Hagino, Hayes, Hirono, Metcalf and Takamine, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Fifty-Eighth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Eighth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1054 to 1057) were read by the Clerk and were placed on file:

Sen. Com. No. 1054, informing the House that the Senate has reconsidered its action on April 7, 1988, in disagreeing to the amendments made by the House to the following Senate Bills, and the amendments proposed by the House were agreed to by the Senate on April 21, 1988:

Senate Bill No. 2253, SD 1, HD 1
Senate Bill No. 2649, SD 1, HD 1
Senate Bill No. 3222, SD 1, HD 1
Senate Bill No. 3155, SD 2, HD 2
Senate Bill No. 2349, SD 1, HD 2
Senate Bill No. 3224, SD 1, HD 1
Senate Bill No. 2696, SD 1, HD 1

Sen. Com. No. 1055, informing the House that the Senate has reconsidered its action taken on April 7, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 1170, SD 2, HD 2, and the amendments proposed by the House were agreed to by the Senate on April 20, 1988; and said bill, as thus amended, has passed Final Reading in the Senate on April 21, 1988.

Sen. Com. No. 1056, informing the House that the Senate has reconsidered its action taken on April 7, 1988, in disagreeing to the amendments proposed by the House to Senate Bill No. 3291, SD 1, HD 1, and the amendments proposed by the House were agreed to by the Senate on April 20, 1988; and said bill, as thus amended, has passed Final Reading in the Senate on April 21, 1988.

Sen. Com. No. 1057, informing the House that Senate Bill No. 2021, SD 2 (HD 1), has passed Final Reading in the Senate on April 21, 1988.

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

Representative Shon introduced two volunteers of the Stress Reduction Stretching Program: Mr. Stewart Rolston, Taichi Instructor, with the Department of Health,

Mental Health Division, and Ms. Linda Morton, Program Director of the Richards Street YWCA, Exercise Sports and Dance Department.

Representative Marumoto introduced a group from SPAN (Single Parents Advocacy Network) which assists women with pre-employment training and they were spending the day at the Legislature.

Representative Tajiri introduced Mr. Gu Mein from the People's Republic of China and Chairman of the Department of Foreign Language for Management, Guangdong Economic Management Institute.

Representative Crozier introduced Mr. Boyd Asamura, stating:

"Mr. Speaker, this morning it gives me great pleasure to introduce an individual...it's more than an introduction. We all know this man. He's been in the process for the longest time. Boyd has been a doorman and a fixture in part of this building. I mean, we've all seen him walking through the halls. He used to be the doorman down here. I remember him, I think in the 1979 session, slamming the door on Representative Marshall Ige and the Representative has never forgotten that. I know it wasn't intentional, it was just an oversight. But, you know, it's been something just to watch this gentleman walk through the halls. He always comes around, either delivering messages or in the beginning of the session, delivering flowers and always communicating, and one of the things that made Boyd special was wherever there were pretty girls, there was Boyd. I don't know what you had in you, Boyd, but they were always hanging on your shoulder and you would be escorting them around the halls.

"Mr. Speaker, today is Boyd's birthday, and for the trivia buffs, Boyd was born when Lincoln Holstein was the Speaker of the House. On behalf of everyone, we'd like to wish Boyd a very happy birthday."

Representative Alcon rose and remarked:

"I have also known Boyd when I first came to this hall and all this time he has been delivering flowers and plants to his favorite Representatives. Although he hasn't been delivering flowers and plants to my office, because of the fact that his heart is in Kalihi, with your permission, Mr. Speaker, I would like to confer upon him the title of Dean Emeritus of the House staff.

"Thank you very much."

At 12:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:22 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Cavasso, Hagino, Hayes, Hirono and Takamine.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1542-88) recommending that H.R. No. 427, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative D. Ige, seconded by Representative Alcon and carried, the report of the Committee was adopted and H.R. No. 427, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE INVESTIGATION AND RESOLUTION OF PROBLEMS AND ISSUES RELATING TO THE HAWAIIAN HOMES LANDS TRUST UNDER THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED, AND THE PUBLIC LAND TRUST UNDER ARTICLE XII, SECTION 4 OF THE HAWAII STATE CONSTITUTION," was referred to the Committee on Legislative Management.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1543-88) recommending that H.R. No. 344, HD 1, be adopted.

On motion by Representative D. Ige, seconded by Representative Alcon and carried, the report of the Committee was adopted and H.R. No. 344, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO EXAMINE THE PROBLEM OF SEX OFFENDERS, INCLUDING 'PEEPING TOM' BEHAVIOR, AND THE RELATIONSHIP OF MENTAL HEALTH SERVICES TO THE CRIMINAL JUSTICE SYSTEM," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1544-88) recommending that H.R. No. 434, HD 1, be adopted.

On motion by Representative D. Ige, seconded by Representative Alcon and carried, the report of the Committee was adopted and H.R. No. 434, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO POSTPONE PROPOSED AMENDMENTS TO RULES REGULATING THE SAFETY OF SWIMMING POOLS," was adopted.

Representatives Metcalf and Hirono, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1545-88) recommending that H.R. No. 256 be adopted.

On motion by Representative D. Ige, seconded by Representative Hirono and carried, the joint report of the Committees was adopted and H.R. No. 256, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE ADVERSE EFFECTS OF REALISTIC TOY GUNS IN THE STATE OF HAWAII," was adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1546-88) recommending that H.R. No. 438 be adopted.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.R. No. 438, entitled: "HOUSE RESOLUTION URGING THE CONGRESS AND THE SECURITIES EXCHANGE COMMISSION TO EXCLUDE RESALE OF CONDOMINIUM APARTMENTS FROM SECURITIES LAWS," was adopted.

Representatives Shon and Honda, for the Committees on Health and Agriculture, presented a joint report (Stand. Com. Rep. No. 1547-88) recommending that S.C.R. No. 59, SD 1, be adopted.

Representative Shon moved that the joint report of the Committees be adopted and S.C.R. No. 59, SD 1, be adopted, seconded by Representative Honda.

Representative Anderson then rose to speak against the resolution, stating:

"Mr. Speaker, very briefly, I think that we are doing more studies on everything else in the world and if you were just to take the air alone outside without burning anything, without having a bus nearby, I would swear that the Health Department would find that's toxic in some way. We seem to be worried about everything that we eat, everything that we drink. We are going to start blaming everybody for everything that's coming along and for this reason, I am voting 'no.'"

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 59, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE HEALTH RISKS UPON EXPOSURE TO THE EMISSIONS PRODUCED BY THE BURNING OF SUGARCANE," was adopted.

At 12:25 o'clock p.m., Representative Peters asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1548-88) recommending that H.R. No. 251, as amended in HD 1, be adopted.

Representative Honda moved that the report of the Committee be adopted and H.R. No. 251, HD 1, be adopted, seconded by Representative Taniguchi.

Representative Anderson rose to speak against the resolution, stating:

"Mr. Speaker, I hate to do this again. I was trying to find out whose resolution it was and I couldn't read the signature. I wanted to let them know what I was going to do as I didn't want to do anything sneaky."

"But the reason, Mr. Speaker, requesting a study to determine the feasibility of developing an agricultural park in Waipio Valley, I can buy that. However, I did talk to members of the Bishop Museum and the people that I talked to at this time is not interested in selling, they are not interested in leasing. They are hoping that the Museum themselves can turn it around and make it become profitable. I, myself, was personally looking at the possibility of seeing if the State could either acquire that for the Bishop Museum or acquire the whole Bishop Museum. But they were interested in keeping what they have and try to make it profitable and for that reason, Mr. Speaker, I am against the resolution."

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 251, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF DEVELOPING AN AGRICULTURAL PARK IN WAIPIO VALLEY," was adopted, with Representative Anderson voting no.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1549-88) recommending that H.R. No. 213, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.R. No. 213, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE OF HAWAII TO INITIATE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE FEDERATED STATES OF MICRONESIA AND THE STATE OF HAWAII," was adopted.

Representatives Shon and Andrews, for the Committees on Health and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1550-88) recommending that S.C.R. No. 117, as amended in HD 1, be adopted.

On motion by Representative Shon, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and S.C.R. No. 117, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE AD HOC COMMITTEE ON GENETICALLY MODIFIED ORGANISMS TO INCLUDE ENVIRONMENTAL CONCERNS, STATE AGENCY RESPONSIBILITIES, AND PROPOSED LEGISLATION IN ITS FINAL REPORT," was adopted.

Representatives Souki and Fukunaga, for the Committees on Finance and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1551-88) recommending that H.R. No. 473 be adopted.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 473, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON FINANCE TO CONDUCT LEGISLATIVE OVERSIGHT OF THE APPROPRIATION ACTS OF THE EXECUTIVE, JUDICIARY AND OFFICE OF HAWAIIAN AFFAIRS," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1552-88) recommending that H.R. No. 135, HD 1, be adopted.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 135, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SAMPLE AND ANALYZE NEARSHORE MARINE LIFE AS PART OF THEIR ROUTINE FOOD TESTING PROGRAM," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1553-88) recommending that H.R. No. 68, HD 1, be adopted.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING CITY AND COUNTY OF HONOLULU TO INVESTIGATE METHODS TO LIMIT UNREASONABLE INCREASES IN REAL PROPERTY TAXES RESULTING FROM RISING ASSESSMENTS," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1554-88) recommending that H.R. No. 214, as amended in HD 1, be adopted.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 214, HD 1,

entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE OF THE STATE OF HAWAII TO CONDUCT A STUDY TO DETERMINE WAYS IN WHICH STATE DISASTER AID MAY BE PROVIDED WITHOUT JEOPARDIZING FEMA AND SBA FUNDING," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1555-88) recommending that S.C.R. No. 178, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.C.R. No. 178, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE USE OF IMPACT FEES," was referred to the Committee on Legislative Management.

At 12:38 o'clock p.m., Representative Tam asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:39 o'clock p.m.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1556-88) recommending that H.R. No. 298, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and notwithstanding the recommendation of the Committee Report, H.R. No. 298, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF LIBRARIAN CLASSIFICATION," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1557-88) recommending that H.R. No. 296, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and notwithstanding the recommendation of the Committee Report, H.R. No. 296, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF THE NEED TO LOWER COUNSELOR TO STUDENT RATIOS," was adopted.

At 12:40 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1558-88) recommending that H.R. No. 301 be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 301, entitled: "HOUSE RESOLUTION REQUESTING THE ADOPTION AND IMPLEMENTATION OF THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES' SYSTEMATIC MAINTENANCE PROGRAM AS A PERMANENT PROGRAM," was referred to the Committee on Finance.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1559-88) recommending that S.B. No. 3135 pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1560-88) recommending that S.B. No. 3169 pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1561-88) recommending that S.B. No. 2213, SD 1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1562-88) recommending that S.B. No. 2171, SD 1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1563-88) recommending that S.B. No. 2389, SD 1, pass Third Reading.

By unanimous consent, action was deferred one day.

CONFERENCE COMMITTEE REPORTS

Representatives Hirono and Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1222, presented a report (Conf. Com. Rep. No. 2-88) recommending that H.B. No. 1222, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 2-88 and H.B. No. 1222, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1222, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Hirono and Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2037, HD 1, presented a report (Conf. Com. Rep. No. 3-88) recommending that H.B. No. 2037, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 3-88 and H.B. No. 2037, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2037, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2036, HD 1, presented a report (Conf. Com. Rep. No. 4-88) recommending that H.B. No. 2036, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 4-88 and H.B. No. 2036, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section

15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2036, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2280, HD 1, presented a report (Conf. Com. Rep. No. 5-88) recommending that H.B. No. 2280, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 5-88 and H.B. No. 2280, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2280, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2348, HD 1, presented a report (Conf. Com. Rep. No. 6-88) recommending that H.B. No. 2348, HD 1, SD 1, CD 1, pass Final Reading.

Representative Hiraki moved that Conf. Com. Rep. No. 6-88 and H.B. No. 2348, HD 1, SD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative Hirono.

Representative Liu then rose and inquired whether or not the Chairman of the Consumer Protection and Commerce Committee would yield to a question to which Representative Hirono answered in the affirmative.

Representative Liu asked:

"The reason for the recommitment?"

Representative Hirono answered:

"There is a technical problem with the language in the bill regarding the effective dates and repeal dates and references thereof and we need to clear that up."

Representative Liu continued:

"So that this bill will be resubmitted?"

Representative Hirono answered:

"Yes, it will."

Representative Liu thanked the Chair.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 6-88 and H.B. No. 2348, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," were recommitted to the Committee on Conference.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3286, HD 1, presented a report (Conf. Com. Rep. No. 7-88) recommending that H.B. No. 3286, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 7-88 and H.B. No. 3286, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3286, HD 1, SD 1, CD 1, were made

available to the members of the House at 11:30 o'clock a.m.

Representatives Hirono and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3305, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 8-88) recommending that H.B. No. 3305, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 8-88 and H.B. No. 3305, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3305, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Shon, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3464, HD 1, presented a report (Conf. Com. Rep. No. 9-88) recommending that H.B. No. 3464, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 9-88 and H.B. No. 3464, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3464, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Andrews, Honda and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2627, presented a report (Conf. Com. Rep. No. 10-88) recommending that H.B. No. 2627, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 10-88 and H.B. No. 2627, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2627, SD 2, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2788, HD 2, presented a report (Conf. Com. Rep. No. 11-88) recommending that H.B. No. 2788, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 11-88 and H.B. No. 2788, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2788, HD 2, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Shon and Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2268, presented a report (Conf. Com. Rep. No. 12-88) recommending that H.B. No. 2268, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 12-88 and H.B. No. 2268, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2268, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Shon and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3190, HD 1, presented a report (Conf. Com. Rep. No. 13-88) recommending that H.B. No. 3190, HD 1, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 13-88 and H.B. No. 3190, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3190, HD 1, SD 2, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Bunda and Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2067, HD 2, presented a report (Conf. Com. Rep. No. 14-88) recommending that H.B. No. 2067, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 14-88 and H.B. No. 2067, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2067, HD 2, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Bunda and Souki, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2876, presented a report (Conf. Com. Rep. No. 15-88) recommending that H.B. No. 2876, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 15-88 and H.B. No. 2876, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2876, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Bunda, Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2691, presented a report (Conf. Com. Rep. No. 16-88) recommending that H.B. No. 2691, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 16-88 and H.B. No. 2691, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2691, SD 2, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Hirono and Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3076, SD 1, presented a report (Conf. Com. Rep. No. 17-88) recommending that S.B. No. 3076, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 17-88 and S.B. No. 3076, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3076, SD 1, HD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2523, HD 1, presented a report (Conf. Com. Rep. No. 18-88) recommending that H.B. No. 2523, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 18-88 and H.B. No. 2523, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2523, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2276, SD 1, presented a report (Conf. Com. Rep. No. 19-88) recommending that S.B. No. 2276, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 19-88 and S.B. No. 2276, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2276, SD 1, HD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3494, HD 2, presented a report (Conf. Com. Rep. No. 20-88) recommending that H.B. No. 3494, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 20-88 and H.B. No. 3494, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3494, HD 2, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3287, presented a report (Conf. Com. Rep. No. 21-88) recommending that H.B. No. 3287, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 21-88 and H.B. No. 3287, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3287, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3601, HD 1, presented a report (Conf. Com. Rep. No. 22-88) recommending that H.B. No. 3601, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 22-88 and H.B. No. 3601, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3601, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

At 12:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1564-88) recommending that H.R. No. 458, HD 1, be adopted.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 458, H.D. 1, entitled: "HOUSE RESOLUTION RELATING TO REAL PROPERTY HOME EXEMPTIONS," was adopted.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1565-88) recommending that H.R. No. 170, as amended in HD 1, be adopted.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.R. No. 170, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT INTERIM PROCEDURES FOR SHORELINE DETERMINATION," was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1566-88) recommending that S.C.R. No. 131, SD 1, be adopted.

On motion by Representative Andrews, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.C.R. No. 131, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PRESENT A STATUS REPORT ON ITS HAZARDOUS WASTE MANAGEMENT PLAN TO THE LEGISLATURE BEFORE THE CONVENING OF THE FIFTEENTH LEGISLATIVE SESSION," was adopted.

Representatives Shon and Crozier, for the majority of the Committees on Health and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1567-88) recommending that S.C.R. No. 134 be adopted.

On motion by Representative Shon, seconded by Representative Crozier and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 134, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO RESOLVE THE ISSUE OF ESCALATING HEALTH CARE COSTS BY ESTABLISHING A COMPREHENSIVE NATIONAL HEALTH INSURANCE PROGRAM," was adopted.

Representatives Shon and Crozier, for the majority of the Committees on Health and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1568-88) recommending that H.R. No. 305 be adopted.

On motion by Representative Shon, seconded by Representative Crozier and carried, the joint report of the majority of the Committees was adopted and H.R. No. 305, entitled: "HOUSE RESOLUTION URGING THE ESTABLISHMENT OF A COMPREHENSIVE

NATIONAL HEALTH INSURANCE PROGRAM," was adopted.

Representatives Shon and Fukunaga, for the Committees on Health and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1569-88) recommending that S.C.R. No. 163, as amended in HD 1, be adopted.

On motion by Representative Shon, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and S.C.R. No. 163, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HOSPITAL INTERNS AND RESIDENTS," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1570-88) recommending that H.R. No. 428, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 428, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A SPACE CAMP IN KA'U," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1571-88) recommending that H.R. No. 339, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 339, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO STUDY HOW IT MAY FURTHER SUPPORT THE HAWAII FASHION INDUSTRY," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1572-88) recommending that H.R. No. 315, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 315, HD 1, entitled: "HOUSE RESOLUTION RECOMMENDING THE NOMINATION OF KEALAKEKUA BAY STATE HISTORICAL PARK TO THE WORLD HERITAGE LIST," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1573-88) recommending that H.R. No. 431, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 431, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT ON THE PROTECTION OF THE PUAKO PETROGLYPH FIELDS," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1574-88) recommending that H.R. No. 391, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the

Committee was adopted and H.R. No. 391, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO COMPLETE THE FEASIBILITY STUDY OF PRACTICING SUBSISTENCE LIFESTYLES IN HAWAII BY INITIATING AND USING THE MOLOKAI EXPERIENCE AS A BASIS FOR DEVELOPING STATEWIDE POLICIES ON TRADITIONAL SUBSISTENCE ACTIVITIES," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1575-88) recommending that H.R. No. 388, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 388, HD 1, entitled: "HOUSE RESOLUTION URGING THE PRESERVATION OF TOYO THEATER," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1576-88) recommending that H.R. No. 429, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 429, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO AMEND ITS ADMINISTRATIVE RULES TO MAKE ISLAND-WIDE WAITING LISTS FOR HOMESTEAD AWARDS AVAILABLE AS PUBLIC RECORDS," was adopted.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1577-88) recommending that H.R. No. 439, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 439, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING EFFORTS TO PROTECT ARCHAEOLOGICAL SITES LOCATED ON PRIVATE PROPERTY," was adopted.

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1578-88) recommending that H.R. No. 347, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.R. No. 347, HD 1, entitled: "HOUSE RESOLUTION URGING THE EMPLOYMENT RETIREMENT SYSTEM DETERMINE THE COST OF IMPLEMENTING A MILITARY CREDIT PURCHASE PROGRAM," was adopted.

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1579-88) recommending that S.C.R. No. 213 be adopted.

On motion by Representative Takamine, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.C.R. No. 213, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was adopted.

Representative Takamine, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1580-88) recommending that H.R. No. 359 be adopted.

Representative Takamine moved that the report of the majority of the Committee be adopted and H.R. No. 359 be adopted, seconded by Representative D. Ige.

Representative Crozier rose to speak against the resolution, stating:

"Mr. Speaker, the reason that I am against trying to study how we can allow people to retire after twenty-five years service. . . the good example to look at is what's happening in the construction industry right now. Some of the different trades allow their people to retire after twenty-five years. Some of these individuals come on board when they are twenty, twenty-two years old, so after twenty-five years, they are about forty-eight years old, they are ready to leave.

"What happens, Mr. Speaker, is that they come through an apprentice program, then become journeyman. Just as they become masters in their craft, they leave. What happens is the whole industry suffers because the talents of the masters are not there to shepherd the younger ones through the growing period. Anytime we start to tamper with the overall structure of whatever trade or occupation, the ramifications may not be seen but there are major implications.

"For that reason, I will be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted, and H.R. No. 359, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE RAMIFICATIONS OF ALLOWING STATE AND COUNTY EMPLOYEES TO RETIRE WITH NORMAL BENEFITS AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE REGARDLESS OF AGE," was adopted, with Representatives Anderson and Crozier voting no.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1581-88) recommending that H.R. No. 303 be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 303, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PLAN FOR AND TO IMPLEMENT A STATEWIDE CENTER FOR SENSORY IMPAIRED STUDENTS," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1582-88) recommending that H.R. No. 353, as amended in HD 1, be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 353, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION STUDY THE FEASIBILITY OF A FOREIGN EXCHANGE PROGRAM FOR HIGH SCHOOL STUDENTS," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1583-88) recommending that H.R. No. 302 be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 302, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON CURRENT AND PLANNED ACTIONS TO INCREASE COMMUNITY USE OF SURPLUS SCHOOL FACILITIES," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1584-88) recommending that H.R. No. 324, as amended in HD 1, be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 324, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A TASK FORCE TO EXAMINE THE PROBLEM OF TEACHER RETENTION IN THE WAIANAE-NANAKULI SCHOOL COMPLEX," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1585-88) recommending that H.R. No. 349 be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 349, entitled: "HOUSE RESOLUTION REQUESTING THAT A FEASIBILITY STUDY BE CONDUCTED FOR A HAWAII YOUNG SCHOLARS PROGRAM," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1586-88) recommending that H.R. No. 330 be adopted.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 330, entitled: "HOUSE RESOLUTION SUPPORTING THE CONTINUED OPERATION AND DEVELOPMENT OF HAWAIIAN IMMERSION/MEDIUM PROGRAMS BY THE DEPARTMENT OF EDUCATION," was adopted.

At 12:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

At this time, Representative Taniguchi rose and requested a recess, stating:

"Mr. Speaker, your Committee on Floor Presentations would like to announce that we've selected a winner this year and that we would like to take a very short recess to make the presentation."

At 12:52 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:59 o'clock p.m., Representative Crozier was permitted to make a late introduction and he introduced Isabelle Wilson from Nahiku, Maui, "part of the Oliviera Clan who run the Hana Ranch."

ANNOUNCEMENTS

Representative Oshiro: "This afternoon, 2:00 p.m. in Senate Conference Room 4, there will be a Conference Committee meeting on Senate Bill 2579."

Representative Fukunaga: "Your Committee on Legislative Management will be holding a decision-making session at 5:30 p.m., Conference Room 328."

Representative Takamine: "The Senate and House conferees will be meeting this afternoon at 5:00 p.m. in Senate Conference Room 4 on Senate Bills 574 and 2451."

Representative D. Ige: "Just would like to remind the Majority members that we will be having a Majority caucus at 1:00 p.m. on Sunday."

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B. No. 2390, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2390, and H.B. No. 2390, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. No. 2390 had passed Final Reading at 1:02 o'clock p.m.

By unanimous consent, H.B. No. 3451, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 3451, and H.B. No. 3451, SD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Andrews rose to speak against the bill, stating:

"Mr. Speaker, what this bill does is another bill passed in the name of housing and I question what it really does for housing. It basically allows the Governor or the Administration to exchange lands of less than 100 acres without. . . it removes the legislative oversight from that exchange. As we remember, just a little while ago we passed a bill that removed the counties' jurisdictions over part of the Housing Corporation's activities. We are now proceeding to remove the Legislature's oversight over the Housing Corporation's activities.

"You know, I'm getting a little concerned here that the Governor, in the name of housing is being sure before he proceeds to do anything, is removing anybody's ability to question his actions. I'm beginning to wonder exactly what he intends to be doing and how we're going to feel about it once we see it. And certainly, as we proceed along our merry way to do these things, and this particular example. . . in land exchanges, Mr. Speaker, I've experienced some that have happened on my island. There is one the year before I came into the Legislature that happened in my district, take an extremely large

amount of time on the part of the Administration. The legislative approval or disapproval process is a very minute part of that. That is the way it has been in all land exchanges that have happened in this State. It is not something that happens overnight, it is not something that the Administration does not have time to prepare for, and to submit the resolution to us as required by law.

"In this particular case, we are dealing with very large parcels of property that belong to the people of this State. We are aware of land exchanges this Legislature has rejected where the State decided to trade about two or three acres for a couple of hundred. We found that inappropriate. This bill would certainly allow us to do those things and it is also my understanding that in many cases, I would believe, understanding the process a little bit, that when we go through the land exchange we would probably be very unaware of what the project going on the land would be. And the State having exchanged the land in the name of housing certainly does not necessarily have to use it for that purpose.

"And again, Mr. Speaker, I express extreme caution in these measures that we have passed and this one itself, and remember what we've done is we have basically taken away every check in the Administration to deal with large amounts of land belonging to our citizens of this State and for purposes that we have no idea what for.

"Thank you, Mr. Speaker."

At 1:05 o'clock p.m., Representative Levin asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:40 o'clock p.m.

Representative O'Kieffe rose and stated:

"Mr. Speaker, I stand to speak against H.B. 3451, SD 1."

At 1:41 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:42 o'clock p.m., Representative Apo withdrew his motion to pass H.B. No. 3451, SD 1, on Final Reading, and Representative Anderson withdrew his second.

By unanimous consent, H.B. No. 3568, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3568, HD 2, and H.B. No. 3568, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Bunda voting no, and Representative Metcalf being excused.

The Chair directed the Clerk to note that H.B. No. 3568 had passed Final Reading at 1:42 o'clock p.m.

At 1:43 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:44 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering action previously taken.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to H.B. Nos. 2092, HD 2 (SD 2) and 3567 (SD 1), seconded by Representative Anderson and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 2092, HD 2 (SD 2) and 3567 (SD 1).

At this time, Representative Apo moved to keep the Journal open until 12:00 midnight this legislative day for the Clerk to receive Conference Committee Reports in order to comply with the constitutional 48-hour availability requirement before passage of bills on Final Reading, seconded by Representative Anderson and carried.

Representative Apo then moved that all Standing Committee Reports received by the Clerk until 12:00 midnight this legislative day be adopted and all bills thereto pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Anderson and carried.

At 1:45 o'clock p.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:50 o'clock p.m.

Representative Liu then rose on a point of inquiry and inquired:

"My inquiry, Mr. Speaker, is whether or not requests have been made to the Finance Committee Chair to assure all hardworking conferees that they will have a reasonable time to review the budget before signing the committee report and that the budget will be attached to the committee report prior to filing with the Clerk this evening."

The Chair responded:

"We will try to make that available to all of the committee members."

Representative Liu thanked the Chair.

At 1:51 o'clock p.m., Representative Hagino asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:52 o'clock p.m.

Representative Hagino then rose and requested waiver of the 48-hour notice requirement to hear Senate Bill 2980, and the Chair "so ordered."

Representative Hagino: "There will be a joint hearing of the Human Services and Judiciary Committees this evening at 10:00 p.m., Room 416. Decision-making to follow."

At 1:54 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee and Standing Committee Reports.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 23-88 to 140-88) were received in the Clerk's Office:

Conf. Com. Rep. No. 23-88 and H.B. No. 2604, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE MENTALLY ILL," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 24-88 and H.B. No. 3012, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 25-88 and H.B. No. 2046, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 26-88 and S.B. No. 3219, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISEMENT FOR BIDS REQUIRED; EXCEPTIONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 27-88 and S.B. No. 2871, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 28-88 and S.B. No. 1541, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 29-88 and S.B. No. 2868, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 30-88 and H.B. No. 3261, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 31-88 and H.B. No. 2553, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 32-88 and S.B. No. 2362, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 33-88 and H.B. No. 2783, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 34-88 and S.B. No. 2318, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 35-88 and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEADS OF DEPARTMENTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 36-88 and H.B. No. 2096, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 37-88 and H.B. No. 3173, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 38-88 and H.B. No. 2151, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 39-88 and H.B. No. 3137, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 40-88 and H.B. No. 3441, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 41-88 and H.B. No. 2055, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT ASSISTANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 42-88 and S.B. No. 3217, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 43-88 and S.B. No. 546, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 44-88 and S.B. No. 587, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND MOPED LICENSES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 45-88 and H.B. No. 225, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS CEMETERY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 46-88 and H.B. No. 3242, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 47-88 and H.B. No. 2532, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 48-88 and H.B. No. 2054, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 49-88 and H.B. No. 3297, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 50-88 and H.B. No. 3291, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 51-88 and H.B. No. 2071, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RENOVATION OF BUILDINGS OR CONSTRUCTION OF EMERGENCY SHELTERS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 52-88 and S.B. No. 3188, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 53-88 and S.B. No. 3195, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 54-88 and S.B. No. 2584, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BISHOP MUSEUM," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 55-88 and H.B. No. 3563, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 56-88 and S.B. No. 743, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 57-88 and S.B. No. 251, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 58-88 and H.B. No. 3150, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITALS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 59-88 and S.B. No. 3095, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS

FOR MANUFACTURING AGRICULTURAL PRODUCTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 60-88 and S.B. No. 2024, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 61-88 and H.B. No. 3102, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 62-88 and S.B. No. 3197, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 63-88 and S.B. No. 2267, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 64-88 and S.B. No. 2336, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HANDICAPPED PERSONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 65-88 and S.B. No. 1265, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RECREATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 66-88 and S.B. No. 2848, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 67-88 and S.B. No. 3073, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 68-88 and S.B. No. 2680, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXICABS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 69-88 and S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 70-88 and H.B. No. 3570, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPORT," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 71-88 and S.B. No. 3222, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 72-88 and S.B. No. 2363, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST

MANUFACTURING ENTERPRISES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 73-88 and S.B. No. 3182, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT AND USE OF GEOTHERMAL ENERGY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 74-88 and S.B. No. 2860, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 75-88 and S.B. No. 1450, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 76-88 and H.B. No. 1499, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 77-88 and S.B. No. 2422, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTORISTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 78-88 and S.B. No. 2931, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM EMPLOYEES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 79-88 and S.B. No. 2633, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING-IMPAIRED," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 80-88 and S.B. No. 2884, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM TRAINING COUNCIL," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 81-88 and H.B. No. 501, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 82-88 and S.B. No. 2882, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT AND RECYCLING OPPORTUNITY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 83-88 and S.B. No. 2955, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 84-88 and H.B. No. 3009, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUNIOR POLICE ORGANIZATIONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 85-88 and H.B. No. 3548, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 86-88 and S.B. No. 3166, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 87-88 and S.B. No. 3161, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 88-88 and S.B. No. 3146, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 89-88 and S.B. No. 2468, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 90-88 and H.B. No. 3238, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE TRAIL AND ACCESS SYSTEM," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 91-88 and S.B. No. 2979, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 92-88 and H.B. No. 3292, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTEES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 93-88 and S.B. No. 2988, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDMENT AND APPROPRIATION TO THE STATE RENT SUPPLEMENT PROGRAM," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 94-88 and H.B. No. 1361, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 95-88 and H.B. No. 479, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 96-88 and S.B. No. 2559, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 97-88 and H.B. No. 2345, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ROOMING HOUSES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 98-88 and S.B. No. 2523, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING VIOLATIONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 99-88 and S.B. No. 2922, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 100-88 and S.B. No. 2923, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 101-88 and S.B. No. 3088, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 102-88 and S.B. No. 2112, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 103-88 and H.B. No. 2003, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL ARBITRATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 104-88 and S.B. No. 986, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 105-88 and S.B. No. 2924, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT INJURY AND NEGLIGENT HOMICIDE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 106-88 and H.B. No. 2081, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 107-88 and H.B. No. 3496, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 108-88 and S.B. No. 3093, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC LANDS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 109-88 and S.B. No. 2418, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF MORTGAGES OF REAL PROPERTY OR FIXTURES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 110-88 and H.B. No. 2032, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO TELECOMMUNICATIONS AND INFORMATION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 111-88 and S.B. No. 2565, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 112-88 and H.B. No. 2002, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 113-88 and H.B. No. 2348, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 114-88 and H.B. No. 2006, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATEWIDE FAIR ACCESS COMMISSION AND MAKING AN APPROPRIATION THEREFOR," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 115-88 and H.B. No. 3068, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 116-88 and H.B. No. 2278, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE COMMISSION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 117-88 and S.B. No. 3264, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 118-88 and H.B. No. 37, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN AND HAWAIIAN INDIVIDUALS AND ORGANIZATIONS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 119-88 and S.B. No. 3233, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 120-88 and S.B. No. 3248, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOTTLED WATER," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 121-88 and H.B. No. 2035, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 122-88 and H.B. No. 2022, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A BUSINESS PERMITS SERVICE CENTER," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 123-88 and H.B. No. 2027, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS AND ECONOMIC DEVELOPMENT," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 124-88 and H.B. No. 3408, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A CIVIL RIGHTS COMMISSION," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 125-88 and H.B. No. 2028, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR A SPACE PORT IN HAWAII," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 126-88 and S.B. No. 3378, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 127-88 and H.B. No. 3308, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 128-88 and S.B. No. 3080, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX LAW," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 129-88 and S.B. No. 2298, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKERS' COMPENSATION STATE FUND," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 130-88 and H.B. No. 2231, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 131-88 and H.B. No. 2220, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE VEHICLE PERMIT," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 132-88 and H.B. No. 2352, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALVAGED MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 133-88 and S.B. No. 2195, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 134-88 and S.B. No. 2448, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES LEFT UNATTENDED ON PRIVATE AND PUBLIC PROPERTY," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 135-88 and S.B. No. 2681, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO AERONAUTICS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 136-88 and S.B. No. 2852, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 137-88 and H.B. No. 3535, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 138-88 and H.B. No. 2031, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL SERVICES," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 139-88 and S.B. No. 2462, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF STREAMS," were placed on the calendar for Final Reading on Monday, April 25, 1988.

Conf. Com. Rep. No. 140-88 and H.C.R. No. 386, HD 1, SD 1, CD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHU LAGOON, HONOLULU, OAHU, HAWAII FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, RESEARCH, AND LIGHT INDUSTRIAL PURPOSES," were placed on the calendar for Final Adoption on Monday, April 25, 1988.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 2604, HD 2, SD 2, CD 1; 3012, HD 1, SD 2, CD 1; 2046, HD 1, SD 2, CD 1; S.B. Nos. 3219, SD 1, HD 1, CD 1; 2871, SD 1, HD 1, CD 1; 1541, SD 2, HD 2, CD 1; 2868, SD 1, HD 2, CD 1; H.B. Nos. 3261, HD 1, SD 1, CD 1; 2553, HD 1, SD 2, CD 1; S.B. No. 2362, SD 1, HD 1, CD 1; H.B. No. 2783, HD 1, SD 1, CD 1; S.B. Nos. 2318, HD 1, CD 1; 2773, SD 1, HD 1, CD 1; H.B. Nos. 2096, SD 2, CD 1; 3173, HD 2, SD 2, CD 1; 2151, HD 2, SD 2, CD 1; 3137, HD 2, SD 2, CD 1; 3441, SD 2, CD 1; 2055, HD 1, SD 2, CD 1; S.B. Nos. 3217, SD 1, HD 2, CD 1; 546, SD 1, HD 2, CD 1; 587, SD 1, HD 1, CD 1; H.B. Nos. 225, HD 2, SD 2, CD 1; 3242, HD 2, SD 2, CD 1; 2532, HD 2, SD 2, CD 1; 2054, HD 1, SD 2, CD 1; 3297, HD 1, SD 1, CD 1; 3291, HD 1, SD 1, CD 1; 2071, HD 1, SD 2, CD 1; S.B. Nos. 3188, SD 1, HD 2, CD 1; 3195, SD 2, HD 2, CD 1; 2584, SD 1, HD 2, CD 1; H.B. No. 3563, HD 2, SD 2, CD 1; S.B. Nos. 743, SD 1, HD 1, CD 1; 251, SD 1, HD 2, CD 1; H.B. No. 3150, HD 1, SD 2, CD 1; S.B. Nos. 3095, SD 1, HD 1, CD 1; 2024, SD 1, HD 2, CD 1; H.B. No. 3102, HD 1, SD 2, CD 1; S.B. Nos. 3197, SD 2, HD 2, CD 1; 2267, SD 1, HD 1, CD 1; 2336, HD 1, CD 1; 1256, SD 1, HD 1, CD 1; 2848, SD 1, HD 1, CD 1; 3073, SD 1, HD 1, CD 1; 2680, SD 1, HD 1, CD 1; 3190, SD 1, HD 1, CD 1; H.B. No. 3570, HD 1, SD 1, CD 1; S.B. Nos. 3222, SD 1, HD 1, CD 1; 2363, SD 2, HD 2, CD 1; 3182, SD 2, HD 2, CD 1; 2860, SD 1, HD 1, CD 1; 1450, SD 2, HD 2, CD 1; H.B. No. 1499, HD 2, SD 1, CD 1; S.B. Nos. 2422, SD 1, HD 1, CD 1; 2931, SD 1, HD 1, CD 1; 2633, HD 2, CD 1; 2884, SD 1, HD 1, CD 1; H.B. No. 501, HD 1, SD 1, CD 1; S.B. Nos. 2882, SD 2, HD 2, CD 1; 2955, SD 2, HD 2, CD 1; H.B. Nos. 3009, HD 1, SD 2, CD 1; 3548, HD 2, SD 2, CD 1; S.B. Nos. 3166, HD 1, CD 1; 3161, SD 1, HD 2, CD 1; 3146, SD 1, HD 1, CD 1; 2468, SD 1, HD 1, CD 1; H.B. No. 3238, HD 2, SD 2, CD 1; S.B. No. 2979, SD 2, HD 2, CD 1; H.B. No. 3292, HD 1, SD 2, CD 1;

S.B. No. 2988, SD 2, HD 2, CD 1; H.B. Nos. 1361, HD 2, SD 1, CD 1; 479, SD 1, CD 1; S.B. No. 2559, SD 1, HD 1, CD 1; H.B. No. 2345, HD 2, SD 1, CD 1; S.B. Nos. 2523, SD 1, HD 1, CD 1; 2922, SD 1, HD 1, CD 1; 2923, SD 1, HD 1, CD 1; 3088, SD 2, HD 2, CD 1; 2112, HD 1, CD 1; H.B. No. 2033, SD 1, CD 1; S.B. Nos. 986, SD 2, HD 1, CD 1; 2924, SD 1, HD 1, CD 1; H.B. Nos. 2081, HD 1, SD 1, CD 1; 3496, SD 1, CD 1; S.B. Nos. 3093, SD 1, HD 1, CD 1; 2418, SD 2, HD 1, CD 1; H.B. No. 2032, HD 2, SD 2, CD 1; S.B. No. 2565, SD 1, HD 1, CD 1; H.B. Nos. 2002, HD 1, SD 1, CD 1; 2348, HD 1, SD 1, CD 2; 2006, SD 2, CD 1; 3068, SD 1, CD 1; 2278, HD 1, SD 2, CD 1; S.B. No. 3264, SD 1, HD 1, CD 1; H.B. No. 37, HD 1, SD 2, CD 1; S.B. Nos. 3233, SD 2, HD 1, CD 1; 3248, SD 2, HD 1, CD 1; H.B. Nos. 2035, HD 1, SD 2, CD 1; 2022, HD 2, SD 2, CD 1; 2027, HD 1, SD 2, CD 1; 3408, HD 2, SD 2, CD 1; 2028, HD 2, SD 1, CD 1; S.B. No. 3378, SD 1, HD 1, CD 1; H.B. No. 3308, SD 1, CD 1; S.B. Nos. 3080, SD 1, HD 2, CD 1; 2298, SD 1, HD 2, CD 1; H.B. Nos. 2231, HD 1, SD 1, CD 1; 2220, HD 1, SD 1, CD 1; 2352, SD 1, CD 1; S.B. Nos. 2195, SD 2, HD 2, CD 1; 2448, SD 1, HD 1, CD 1; 2681, SD 1, HD 1, CD 1; 2852, HD 1, CD 1; H.B. Nos. 3535, HD 1, SD 1, CD 1; 2031, HD 2, SD 2, CD 1; S.B. No. 2462, SD 1, HD 1, CD 1; and H.C.R. No. 386, HD 1, SD 1, CD 1, were made available to the members of the House.

STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 1587-88 (JUD) was adopted and S.B. No. 2765, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1588-88 (JUD) was adopted and S.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION AND TELECOMMUNICATIONS FRAUD," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1589-88 (JUD) was adopted and S.B. No. 2029, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SURETY BONDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1590-88 (JUD) was adopted and S.B. No. 3200, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE DEFENSE FORCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1591-88 (JUD) was adopted and S.B. No. 2030, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1592-88 (JUD) was adopted and S.B. No. 2718, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR VOTING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1593-88 (JUD) was adopted and S.B. No. 2172, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAULA," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1594-88 (JUD) was adopted and S.B. No. 2060, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1595-88 (JUD) was adopted and S.B. No. 2031, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1596-88 (JUD) was adopted and S.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PORNOGRAPHY FOR MINORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1597-88 (JUD) was adopted and S.B. No. 2521, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENSES FOR EXTRADITION AND RETURN," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1598-88 (JUD) was adopted and S.B. No. 2517, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1599-88 (JUD) was adopted and S.B. No. 2761, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE DATA INTERAGENCY BOARD," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1600-88 (JUD) was adopted and S.B. No. 2760, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1601-88 (JUD) was adopted and S.B. No. 2186, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1602-88 (JUD) was adopted and S.B. No. 2713, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1603-88 (JUD) was adopted and S.B. No. 2926, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1604-88 (JUD) was adopted and S.B. No. 2578, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1605-88 (JUD) was adopted and S.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1606-88 (JUD) was adopted and S.B. No. 2032, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1607-88 (JUD) was adopted and S.B. No. 2712, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1608-88 (JUD) was adopted and S.B. No. 2070, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1609-88 (HUS/JUD) was adopted and S.B. No. 2980, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was placed on the calendar for Third Reading.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Monday, April 25, 1988.

SIXTIETH DAY

Monday, April 25, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 10:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Julia McKenna-Ritchie of the Divine Harmony Community Church, after which the Roll was called showing all members present with the exception of Representatives Cavasso, Horita, D. Ige, Jones and Kanoho, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Ninth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Ninth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1058 to 1066) were read by the Clerk and were placed on file:

Sen. Com. No. 1058, returning House Bill No. 2527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 22, 1988.

Sen. Com. No. 1059, returning House Concurrent Resolution No. 85, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONTINUED RESEARCH INTO PROGRAMS FOR THE DEVELOPMENT OF NEW ENERGY SYSTEMS AND SOURCES WHICH COULD REPLACE PETROLEUM FUELS, THEREBY LOWERING THE COST OF ENERGY REQUIRED BY SUGAR FACTORIES AND FIELD EQUIPMENT," which was adopted by the Senate on April 22, 1988.

Sen. Com. No. 1060, informing the House that the Senate has, on April 22, 1988, adopted House Concurrent Resolution No. 10, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING HAWAII'S CONTINUED COMMITMENT AND GENERAL SUPPORT FOR THE CREATION OF AN EFFECTIVE SHARED MANAGEMENT, CONTROL, AND REVENUE MECHANISM FOR THE FEDERAL GOVERNMENT AND THE COASTAL STATES OVER THE UNITED STATES EXCLUSIVE ECONOMIC ZONE."

Sen. Com. No. 1061, informing the House that the Senate has, on April 22, 1988, adopted House Concurrent Resolution No. 36, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII STUDY THE FEASIBILITY OF ESTABLISHING A SPACE EDUCATION CENTER."

Sen. Com. No. 1062, informing the House that the Senate has, on April 22, 1988, adopted House Concurrent Resolution No. 86, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF MARKETING AND PRODUCTION OF ALTERNATIVE CROPS."

Sen. Com. No. 1063, informing the House that the Senate has, on April 22, 1988, adopted House Concurrent

Resolution No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DESIGN OF A PROGRAM FOR THE DEVELOPMENT OF A COOPERATIVE FOR A SLAUGHTERHOUSE ON MOLOKAI."

Sen. Com. No. 1064, informing the House that the following Senate Bills have passed Final Reading in the Senate on April 22, 1988:

Senate Bill No. 2253, SD 1, HD 1
Senate Bill No. 2649, SD 1, HD 1
Senate Bill No. 2696, SD 1, HD 1
Senate Bill No. 3155, SD 2, HD 2
Senate Bill No. 3222, SD 1, HD 1
Senate Bill No. 3224, SD 1, HD 1

Sen. Com. No. 1065, informing the House that the Senate has reconsidered its action taken on April 7, 1988, and that the amendments proposed by the House to the following Senate Bills were agreed to by the Senate on April 22, 1988:

Senate Bill No. 2840, SD 1, HD 1
Senate Bill No. 3077, HD 1
Senate Bill No. 3229, SD 1, HD 1
Senate Bill No. 3151, SD 1, HD 1
Senate Bill No. 3062, SD 2, HD 2
Senate Bill No. 3230, SD 1, HD 1
Senate Bill No. 3225, SD 1, HD 1
Senate Bill No. 3226, HD 1
Senate Bill No. 2750, SD 1, HD 1
Senate Bill No. 3277, HD 3
Senate Bill No. 3210, SD 1, HD 1
Senate Bill No. 3392, SD 2, HD 2
Senate Bill No. 2209, SD 2, HD 2
Senate Bill No. 2758, SD 2, HD 1

Sen. Com. No. 1066, informing the House that the Senate has agreed to the amendments proposed by the House, and S.C.R. No. 56, HD 1, was Finally adopted on April 22, 1988.

At this time, the following introduction was made to the members of the House:

Representative Levin introduced Kathy O'Connor from Ka'u.

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

Upon reconvening at 10:40 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Cavasso, Horita, D. Ige and Jones.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 106-88 on H.B. No. 2081, HD 1, SD 1, CD 1:

Representative Souki moved that the report of the Committee be adopted and H.B. No. 2081, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Souki rose to speak in favor of the bill, stating:

"Mr. Speaker and members of the House, I rise to speak in favor of House Bill No. 2081, HD 1, SD 1, CD 1.

"Mr. Speaker, the bill before you is the Executive Supplemental Budget for the 1987-89 fiscal biennium. It provides the needed funds for all of our State departments and agencies to implement the challenge of laying the foundation for the future of our State.

"This budget bill is unique in that it combines the best of what the Governor has recommended with the workable programs generated by every subject matter committee of the House and Senate. It represents the spirit of cooperative effort of this Legislature, and it is a bench mark for working together to chart our course in the future. And it incorporates, Mr. Speaker, your leadership of all the interim committee members that did interim work and here it is, laying the foundation for the future.

"Mr. Speaker, the program plan of this budget focuses on three areas; namely, economic development, education and human services. This bill is designed to provide the resources needed to develop the future economy and importance of our State in the Pacific Basin. It is designed to open up new vistas in space and telecommunications programs. Heavy emphasis is also placed in developing our tourist industry.

"The needs of our children and the welfare of our people cannot be neglected. Our children of today are the most important resources of tomorrow. Therefore, increased funding of \$42.5-million has been provided for our public school systems in the higher and lower education. To this end, every child can be assured of the opportunity to develop his or her full capacity.

"Likewise, every individual--young and old--must be assured of a decent standard of living. A sizeable amount has been allocated to provide for housing development--over \$200-million to take care of the young people that cannot afford to provide homes for themselves; and \$12.5-million to provide for rental assistance programs; and for human service programs for those who cannot take care of themselves and need the help and assistance of our government, we have provided \$17-million to assist these people in personal care services, increasing the general assistance program and increasing the medicaid program and many other programs.

"In conclusion, Mr. Speaker, this bill is directed to launch a new economic era. It channels the State resources to develop and implement economic development programs for our future. We have committed over \$20-million for this endeavor.

"Mr. Speaker, I recommend passage of this bill, and urge all members of this body to vote favorably on this bill.

"Before I end, Mr. Speaker, if I could, I wish to thank the Finance Committee for the hard work this past session, for the long hours and for their patience. I wish to thank my Vice Chairperson for her valuable assistance to me throughout the session for her insight.

"I wish to thank all the staff of the Finance Committee for the long hours--24 hours a day--not making a fuss and not aware of the long hours it takes to provide this bill. It is a huge document that requires a lot of work and I wish to thank them all for the good work they've done and, Mr. Speaker, I wish to thank all the members here for their patience and their gratitude.

"Thank you very much."

Representative Tam rose to speak in favor of the bill, stating:

"For the second year in a row, this Legislature has made a strong commitment to quality public education in the State of Hawaii. This budget is a result of good communication between everyone in government concerned with improving instruction, repairing of school buildings and making the administration of our schools more efficient. The Board of Education, the Superintendent of Education, the Governor and the Legislature can all take credit for this effort.

"This budget contains an increase in funding for public schools and libraries of almost \$30-million. When we started this session, about \$61-million was budgeted for physical plant operations and maintenance of school buildings. The budget before you has \$72.6-million for that purchase, an increase of \$11.7-million or 19.2 percent. This funding will also allow the Department of Accounting and General Services to implement Phase 1 of their systematic maintenance program which is long overdue.

"We have also increased the number of teachers and educational assistants for special education children, an increase of \$5-million, or 353 additional positions in the classrooms serving our handicapped students. This 20 percent increase will greatly improve educational services to these students. In order to assist the Department of Education in using the latest technology, we have included over half a million dollars for distant learning pilot projects and planning funding for bringing cable television to every school in the State. This may include a special cable channel to be used by the Department of Education. Furthermore, the first phase of an automatic financial management system has been funded in this report. Secondly, special tutoring for students having difficulty in the basic; third, 20 additional parent community networking centers besides our present 24 centers now being funded by the State of Hawaii; fourth, additional health education counselors; fifth, supplemental pay for speech coaches; sixth, \$300,000 for night security at high risk schools; and seventh, additional training money for teachers and administrators.

"Now, for our public libraries, we have, one, an expansion of the automated catalog system; secondly, additional security; third, an automated catalog for the Library for the Blind; and fourth, eleven new librarian and librarian assistant positions.

"In fact, Mr. Speaker, there is so much more for our schools and libraries in this budget. I can spend hours telling you about it but rather than doing that, I will send member of this House a full detail of the report.

"Although this is a good budget and the biggest increase for education in the history of the State of Hawaii, there is still much to be done if we are to truly achieve quality education in our public schools. I must say that I regret that we were unable to convert any of the 1,781 temporary positions in the public schools and libraries to permanent positions. It would not have cost anything to do this. It is difficult to keep good

professionals in temporary positions. As a result, our workforce is not as stable as it should be and teachers and students suffer because of this. Many of these positions have been established for more than a decade. About 650 of them have been in the budget for over five years. The increase in shortage of teachers and librarians will make it absolutely necessary to address this problem next year.

"I would like to use my remaining time here today to thank you, Mr. Speaker, and fellow members of the Education Committee in your assistance, especially I want to thank the Chairman and his members of the Finance Committee for their help in this budget.

"I urge my members to support this budget.

"Thank you."

Representative Metcalf rose to speak in favor of the bill, stating:

"I think the State budget before this body is perhaps the most focused budget that we have seen in recent history. As a focused budget, the focus of the budget really is to aim towards carving out a future for Hawaii, and I think that the budget reflects the kind of future that we seek to carve out for ourselves in Hawaii. But most importantly, I would like to thank the Finance Chairman for my Kaumana School cafeteria.

"Thank you."

Representative Kotani rose to speak in favor of the bill, stating:

"Mr. Speaker, earlier this session, there were those that criticized the House of Representatives for an alleged lack of leadership. It is true that the spirit of authoritarianism has left this body.

"On the Finance Committee, Chairman Souki invited the active participation of the members of the Committee and allowed us to review and comment on the proposed agreements between the House and the Senate. As I understand, his actions were unprecedented.

"There is nothing so untidy as democracy and when unforeseen circumstances and a personal tragedy arose at the crossover deadline, there were those who marked this era of openness but as Winston Churchill once said, 'No one pretends that democracy is perfect is all wise. Indeed it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time.' The proof of that statement lies in the proposed budget under our consideration. With new initiatives in telecommunications, space industries, housing and higher education, this budget and the other appropriation bills reflect the House leadership's guidance, Chairman Souki's stewardship, and the House Finance Committee's collective wisdom that the short-term surplus should not be squandered to satisfy the demands of the moment, but should be invested in the future of our islands and our people.

"As a freshman legislator, I take pride in being a member of the committee that worked on this bill.

"Thank you, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, I would like to have the full text of my remarks entered into the Journal and I will briefly summarize it."

"The Chair, noting that there were no objections, "so ordered."

Representative Hemmings continued:

"Thank you, Mr. Speaker.

"First of all, I would like to add my thanks also to Representatives Souki and Fukunaga and all those hardworking people on the Finance Committee who put this voluminous budget together. I recognize their intent and I certainly compliment them on their hard work. But in good consciousness, I have to disagree.

"For a generation or more now, we have heard the flowery rhetoric of our foundation for the future. We've heard about investing in our children's education to make a better Hawaii. We've heard about cooperative efforts between the branches of government in working together. The question I ask and the question I think the people of Hawaii ask is, do we have a system of education that we're proud of? Do our citizens feel protected against the criminal element? Do we have enough prison space? Do we have a criminal justice system that works in favor of the citizens and victims? Have we solved our traffic problems? After 18 or 20 years and \$500-million, do we have affordable housing? I think the answers to these questions have been answered and will be answered again. They are 'No.'

"Though many of the services provided by this budget are necessary, all too much is unnecessary and sometimes a waste of taxpayers' hard-earned money.

"A 'no' vote on this budget is the positive and responsible thing to do. The State could continue to function as it has with the existing budget. The 450-million plus dollars that are in the surplus could be refunded to the taxpayers. You want to do something for the really poor people? You want to do something for the low income people--the people that need help? Give each person a refund check of \$400 instead of one dollar. For a family of four, that would be \$1,600. This is a continuation of what they've gotten for the last generation and they still have problems. Give them a refund.

"Refunding to the taxpayers would provide economic stimulus for jobs and commerce and further allow the people the freedom to spend their hard-earned money as they see fit, not as we mandate.

"I urge my colleagues to vote 'no' against this budget.

"Thank you, Mr. Speaker."

Representative Hemming's remarks are as follows:

"The supplemental budget is a classic in the sad, but continuing, saga of unaccountable, inefficient and, oftentimes, misappropriated spending.

"Though many of the services provided by this budget are necessary, all too much is not only unnecessary, but a waste of taxpayers' hard-earned resources.

"The supplemental budget we are passing on today is, as usual, convoluted and very difficult to get to the bottom line of, but this budget, combined with other appropriation bills, will burn up the State's surplus. This is unfair to the people of Hawaii who are overtaxed and have a high cost of living because of the State's mismanagement of the economy.

"A 'no' vote on this supplemental budget is the positive and responsible thing to do. This State could continue to function with the existing budget. The \$450-million plus surplus could then be refunded to the taxpayers to further assist low income citizens, provide for economic stimulus for jobs and commerce, and allow people the freedom to spend their hard-earned money as they see fit.

"To add insult to injury, the constitution mandates a refund when there are two successive years of surplus. What the taxpayers probably will get, rather than a sizeable refund, is an insulting one dollar.

"Once again, it is a pleasure to vote 'no' against the budget. It is irresponsible and unaccountable."

Representative O'Kieffe rose to speak in favor of the bill, stating:

"It has been a difficult year. Few of us expected that we would find it more difficult to budget for the State in a year of the surplus and in an year when we must cut fat to spend within our limits.

"I am pretty much pleased with the end product and respect the Finance Committee members their hard work and for making some really tough decisions.

"I am especially pleased to see the continued support of public education. We were continuing to fund learning centers and the HITS projects, both successful and worthwhile educational programs. By using innovative telecommunications, we can bring more offering to rural schools. We are devoting an unprecedented \$5.1-million to support and expand special education which has been neglected far too long in the public schools.

"Finally, we are continuing the extensive repair and maintenance of our school buildings, recognizing that a child's physical environment has a significant influence on his ability to learn. I encourage future Legislatures to continue this progressive agenda on education. I hope that in our next legislative session that we will make even farther-reaching reforms. Work towards smaller and more accessible schools in the neighbor islands rather than bus our children to consolidated mega schools. Implement initiatives such as year-round education. Put to new and innovative ideas to help students become better learners. We must not settle for mediocrity in our educational system but demand results. Graduates should be capable of making a positive contribution to society. The public educational system should ensure not only functional literacy but technical know-how to work in an increasingly complex society.

"In conclusion, I applaud this effort to improve public education and hope that this is a precedent which will be emulated in years to come.

"Thank you, Mr. Speaker."

Representative Medeiros rose and stated:

"Mr. Speaker, I rise to speak in favor of this issue and I would like to have Representative O'Kieffe's remarks recorded into the Journal as that of my own.

"Thank you."

The Chair "so ordered." (By reference only)

Representative Jones rose and stated:

"Mr. Speaker, I have some comments I would like to insert in the Journal, if I could, in speaking against the

budget with regrets and I would just like to summarize a few of those if I might."

The Chair, noting that there were no objections, "so ordered."

Representative Jones continued:

"It is with regret that I am voting against the budget because I really appreciate the hard work that the Finance Committee did on this and there is no question in my mind of the good motives that the Chair and the Vice Chair and all the Finance Committee had in providing for the welfare of our State.

"I think the fundamental conflict that I have here is more of a philosophical one than it is in terms of personalities or any particular issues. That fundamental philosophical difference is the difference between throwing money at problems or really willing to ask the hard questions to answer those. Why can we spend as much money or more money on our public schools as are spent on private schools and not get even a modicum of the same kind of results? Why should we keep to continue to do some of these transfer payments and not ask the question about dealing with some of the problems in the bloated bureaucracy if we tried to hear it for years to even match up with the counties to get verification on peoples' assets when they go in to apply for welfare?

"But I think the biggest reason why philosophically I am going to go down today is the issue of, if we were to take a survey in our State today and ask every single voter out there, would you rather have us spend this 400-million plus dollars or would you rather have \$400 in your pocket and \$400 for each one of your children? I think the voters would say, 'we'd rather take the cash.' I think the voters would have a better idea of how to spend for their own families, and I think it is rather presumptuous for us to move in what I believe is very possibly an unconstitutional way and take this surplus which our Constitution mandates that we should give back to the people. And we act on our own and spend it.

"So, I don't doubt the motives of my colleagues in spending this money. I just question the philosophy of throwing money like this and so on that basis, Mr. Speaker, with regret, I am going to go down on the budget.

"Thank you very much."

Representative Jones' remarks are as follows:

"It is incomprehensible to me that we were able to spend \$500-million of the taxpayers' money by scrambling around and inventing programs to spend it on.

"It is reprehensible that many of those programs will be permanent--causing a perpetual drain on the taxpayers of this State. Everyone knows you can almost never eliminate a program once it is launched. No matter how useless, no matter how much money is being lost.

"It is a violation of the spirit of our constitution to have surplus and not refund it to the people. A token refund of \$1 is a slap in the face and it will be remembered when the votes are counted. A full refund could have resulted in \$400 for every man, woman and child in the State. Don't you think that the average family of four would be impacted in a much better way with a check for \$1,600 in the mailbox rather than a host of new programs to support. Why should a Philadelphia filmmaker make a documentary on hula? Some of the programs look like they're to help the homeless and the poor, but as use by

this Legislature, **compassion** seems to be the ability to freely spend other people's money without guilt.

"There are fundamental differences in the principles that this nation were founded on and which shaped our greatness and the present condition of our advanced welfare state. The idea today is to throw out the money after the problem rather than provide the tools for individual initiative, responsibility, and freedom.

"How long do you think we can get away with buying the votes of businesses with a few crumbs and handouts, while at the same time sending taxes through the ceiling to make it hopelessly unprofitable to run a business? Spending is an addiction, and our state government is a hardcore addict.

"Those who wish to preserve freedom should recognize that inflation is probably the most important single factor in that vicious circle wherein one kind of government action makes more and more government control necessary.

"Bureaucrats will prescribe the only cure they understand: more bureaucracy. The statist wants to think of the whole world as inhabited only by officials.

"Freedom includes the freedom to fail as well as the freedom to succeed. If everyone is guaranteed a job whether they work or not, there can be no more good jobs in existence. Growth for the sake of growth is the ideology of the cancer cell.

"The government does not exist as an entity in itself. It is only the tool of the people to implement their will. It should never become their slavemaster.

"Security isn't worth brain death, the risk of adventure must be boldly approached by an individual, not by a committee, and never by a bureaucracy.

"We need to extend to the poor the freedoms and opportunities, the values of family and faith, that are indispensable to all progress and wealth. Liberalism administers new forms of bondage and new fashions of moral corruption to poor families. The moral blight of dependency leaves a trail of broken families and demoralized lives.

"Our proposed House budget would have added over 800 jobs to the State rolls from last year. This is a massive growth industry. It is a leach on reality. These aren't real jobs that produce wealth but they are ways to reward friends and put the bill to the taxpayer."

Representative Liu rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, this is to underlie the comments made by members on this side of the aisle previously. I think there are a lot of good things in the budget, things that we needed, things that we do need to continue our operations. But it is sad that the approach that the Majority has taken over the years has been that of throwing money at problems, at creating new programs without asking the really hard questions--are we in fact committing ourselves to payments of unknown quantities for the future?

"It's great to say that the Department of Human Services has now the responsibility to expand programs for gap group elderly and needy. That's great to say and to put it in statute. But what does that mean beyond this year of the surplus? We're appropriating close to \$450,000 for that program and that's good, and I favor

that, but I wondered if we really asked, are we then committing ourselves to future payments of a larger scale?

"When we talk about having to create an office dealing with the information industry of \$4-million this year, prior to doing the marketing studies and legal analysis, aren't we putting the cart before the horse?

"These are the types of hard questions which, if we were in control of this House and the Senate and the fifth floor, that would be asked before such a budget would be passed.

"The other problem I have, Mr. Speaker, while voting for the budget but still causing me concern is that of accountability of the process. I appreciate the attempts this year to be much more open and to allow members of the Committee to have greater access to information upon which to base their meetings on and their decisions. But still, we all know that this document before us is very difficult to analyze. Totals are still not given on pages or by programs that if a member of the public tried to go through this document, it would practically be impossible for them to really find out what the bottom line figures are. In fact, it is possible that not every dollar is in this budget that we have separate bills floating around that account for expenditures and then we have to look further. We have problems knowing what's really in it and what really isn't.

"At one point during the session, the Chairman of the Finance Committee and myself had different computers and different calculators so we came up with very disparate numbers and I think that could happen again. So I would hope that we think about (1) asking the hard questions in the future, being very cautious that many of the programs, so-called pilot programs, that we start today are in fact pilot programs; and (2) that the issue of accountability and process be looked at closely in years to come.

"Thank you, Mr. Speaker."

Representative Taniguchi rose to speak in favor of the bill, stating:

"Mr. Speaker, first of all, I would like to take this opportunity to thank the Chairman of the Committee on Finance as well as the leadership of this House for the many courtesies afforded my committee. I would also like to acknowledge the work and perseverance of the Finance Committee and the Finance staff. I believe they have worked long hours to produce a fair and equitable budget.

"Mr. Speaker, once again this House has shown its strong commitment to higher education and the arts. With regard to the University of Hawaii, for the most part, we have followed the criteria and priorities set forth by the University and by the Governor. We have shown courage in moving forward into the future. We have made bold moves to make our University an institution of excellence, not only in the area of research, but also in the area of undergraduate education.

"With regard to the arts, we have endorsed the top priorities of the arts community in funding fellowships and unanticipated events.

"I believe the University and the arts community should be extremely pleased with this budget and I am very proud of it.

"Mr. Speaker, let me also take this opportunity to thank all the members of this House for their support of the appropriation to Manoa's eastern hillside. I know,

for many, it was a very hard decision but I am very glad in the way it came out. I would also need to commend the perseverance of the residents of the area in seeing that the concerns were made known. These residents have worked hard to see their appropriation through the legislative process. They have attended hearings, they have written testimonies, they have lobbied many of you here. This appropriation is the reflection of their dedication to save the community.

"Again, Mr. Speaker, I want to thank all the members and urge support of this bill.

"Thank you."

Representative Arakaki rose to speak in favor of the bill, stating:

"I am especially proud as a member of the Finance Committee and also the Vice Chairman of the Human Services of the statement we are making for human services.

"In addition to addressing the needs of the elderly, the young children, and the many needy in our community, we have chosen to show foresight in addressing some of the great needs and concerns that we have for child care and for long-term care. These are issues that are potential future crises that I think the House has chosen to address through many items in the budget.

"For child care, we have chosen to have a statewide assessment of the needs of our State. We have asked businesses to cooperate in developing child care programs and we've developed programs to recruit and train child care workers.

"In the area of long-term care, we are addressing the needs of our elderly and I think many of us know that our aging population grows and will continue to grow and we will have to meet the challenges of this aging population and to that regards, we have in the budget development of long-term care financing strategy and also appropriations for awareness program on long-term care insurance and for information for the elderly on long-term care.

"And I would like to congratulate my fellow members for taking the time to address these concerns, and I would like to thank the Chairman of the Finance Committee for being cooperative in these areas.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2081, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Jones voting no.

The Chair directed the Clerk to note that H.B. No. 2081 had passed Final Reading at 11:09 o'clock a.m.

Conf. Com. Rep. No. 62-88 on S.B. No. 3197, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 110-88 on H.B. No. 2032, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 1559-88 on S.B. No. 3135:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 1560-88 on S.B. No. 3169:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 1561-88 on S.B. No. 2213, SD 1:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 1562-88 on S.B. No. 2171, SD 1:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 1563-88 on S.B. No. 2389, SD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 2-88 on H.B. No. 1222, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 1222, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1222 had passed Final Reading at 11:10 o'clock a.m.

At 11:10 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:02 o'clock p.m.

Conf. Com. Rep. No. 3-88 on H.B. No. 2037, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2037, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTOR VEHICLE WARRANTIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 4-88 on H.B. No. 2036, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2036, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2037 and 2036 had passed Final Reading at 12:03 o'clock p.m.

Conf. Com. Rep. No. 5-88 on H.B. No. 2280, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2280, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 7-88 on H.B. No. 3286, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3286, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2280 and 3286 had passed Final Reading at 12:04 o'clock p.m.

At 12:04 o'clock p.m., Representative Crozier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:05 o'clock p.m.

Conf. Com. Rep. No. 8-88 on H.B. No. 3305, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3305, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE ORGANIZATIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3305 had passed Final Reading at 12:05 o'clock p.m.

Conf. Com. Rep. No. 9-88 on H.B. No. 3464, HD 1, SD 1, CD 1:

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 3464, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3464 had passed Final Reading at 12:06 o'clock p.m.

Conf. Com. Rep. No. 10-88 on H.B. No. 2627, SD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 2627, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE STATEWIDE COLLECTION AND DISPOSAL OF HAZARDOUS WASTES PRODUCED BY FARMERS AND HOUSEHOLDERS IN HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 11-88 on H.B. No. 2788, HD 2, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2788, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2627 and 2788 had passed Final Reading at 12:07 o'clock p.m.

Conf. Com. Rep. No. 12-88 on H.B. No. 2268, SD 1, CD 1:

On motion by Representative Shon, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 2268, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2268 had passed Final Reading at 12:08 o'clock p.m.

Conf. Com. Rep. No. 13-88 on H.B. No. 3190, HD 1, SD 2, CD 1:

Representative Shon moved that the report of the Committee be adopted and H.B. No. 3190, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Ribellia rose and requested that his remarks, against the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Ribellia's remarks are as follows:

"Mr. Speaker, I rise to speak against this bill to provide for a Dispersal Review Council to review and determine the equitable distribution of care homes in Oahu's communities. This bill is integrally related to H.B. 2195, HD 1, which, if signed into law, would invalidate restrictive residential leasehold covenants and could force the establishment of care home facilities for the developmentally disabled, elderly, handicapped, mentally ill, or such other facilities in residential neighborhoods.

"Good care of the less abled members of our community is the responsibility of all Hawaii's citizens and I do not object to the establishment of proper care homes. But such establishment should be by neighborhood consensus - not by dictation.

"In Hawaii Kai now there are six such care homes established with the consent of the surrounding property owners. This is the best method for establishing such homes, because it is sensitive to resident concerns and respects resident rights established in their land leases."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3190, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Alcon, Anderson, Bunda, Crozier, Peters and Ribellia voting no.

The Chair directed the Clerk to note that H.B. No. 3190 had passed Final Reading at 12:09 o'clock p.m.

Conf. Com. Rep. No. 14-88 on H.B. No. 2067, HD 2, SD 1, CD 1:

On motion by Representative Bunda, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 2067, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF ENVIRONMENTAL RESOURCES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 15-88 on H.B. No. 2876, SD 1, CD 1:

On motion by Representative Bunda, seconded by Representative Souki and carried, the report of the majority of the Committee was adopted and H.B. No. 2876, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HYPERBARIC TREATMENT CHAMBER SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 16-88 on H.B. No. 2691, SD 2, CD 1:

On motion by Representative Bunda, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 2691, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CENTER FOR APPLIED AQUACULTURE," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

The Chair directed the Clerk to note that H.B. Nos. 2067, 2876 and 2691 had passed Final Reading at 12:10 o'clock p.m.

Conf. Com. Rep. No. 17-88 on S.B. No. 3076, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 18-88 on H.B. No. 2523, HD 1, SD 1, CD 1:

On motion by Representative Honda, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2523, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2523 had passed Final Reading at 12:11 o'clock p.m.

Conf. Com. Rep. No. 19-88 on S.B. No. 2276, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 20-88 on H.B. No. 3494, HD 2, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3494, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 21-88 on H.B. No. 3287, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3287, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3494 and 3287 had passed Final Reading at 12:12 o'clock p.m.

Conf. Com. Rep. No. 22-88 on H.B. No. 3601, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3601, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 23-88 on H.B. No. 2604, HD 2, SD 2, CD 1:

On motion by Representative Shon, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2604, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE MENTALLY ILL," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3601 and 2604 had passed Final Reading at 12:13 o'clock p.m.

Conf. Com. Rep. No. 24-88 on H.B. No. 3012, HD 1, SD 2, CD 1:

On motion by Representative Shon, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 3012, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3012 had passed Final Reading at 12:14 o'clock p.m.

Conf. Com. Rep. No. 25-88 on H.B. No. 2046, HD 1, SD 2, CD 1:

Representative Shon moved that the report of the Committee be adopted and H.B. No. 2046, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Shon rose to speak in favor of the bill, with reservations, stating:

"Our people die for lack of knowledge and there are blurring omissions from this bill which will cause the deaths of some in our State. We here fail to ensure testing before marriage as one example. How many young brides will die because they do not know their spouse has AIDS.

"Last week, an AIDS workers in one of our local hospitals told me the following story: The ex-fiancee of a person that is HIV-antibody positive notified this hospital worker that the person was going to marry someone who did not know that the person was AIDS antibody positive. She stated that the AIDS antibody positive person did not tell her he had AIDS when they were engaged. She only

found out because the ex-lover of the person called her. She felt strongly that the AIDS person also did not tell his present fiancée. The hospital worker made several attempts to call that person. When he was finally contacted, he said that he had just gotten married a few days before. When the hospital worker asked him if he told his bride that he was positive, there was a pause, then he said, 'yeah.' Did he really or did he keep it secret as he had from his first fiancée?

"How long before we ensure protection of marriage from this plague. Our people are dying for lack of knowledge!"

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2046, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2046 had passed Final Reading at 12:17 o'clock p.m.

Conf. Com. Rep. No. 26-88 on S.B. No. 3219, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 27-88 on S.B. No. 2871, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 28-88 on S.B. No. 1541, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 29-88 on S.B. No. 2868, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 30-88 on H.B. No. 3261, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3261, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3261 had passed Final Reading at 12:18 o'clock p.m.

Conf. Com. Rep. No. 31-88 on H.B. No. 2553, HD 1, SD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2553, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS," having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Bunda, Jones, Peters and Yoshimura voting no.

The Chair directed the Clerk to note that H.B. No. 2553 had passed Final Reading at 12:19 o'clock p.m.

Conf. Com. Rep. No. 32-88 on S.B. No. 2362, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 33-88 on H.B. No. 2783, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Shon and carried, the report of the Committee was adopted and H.B. No. 2783, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2783 had passed Final Reading at 12:22 o'clock p.m.

Conf. Com. Rep. No. 34-88 on S.B. No. 2318, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 35-88 on S.B. No. 2773, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

At 12:22 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

Conf. Com. Rep. No. 36-88 on H.B. No. 2096, SD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 37-88 on H.B. No. 3173, HD 2, SD 2, CD 1:

On motion by Representative Taniguchi, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 3173, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 38-88 on H.B. No. 2151, HD 2, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2151, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3173 and 2151 had passed Final Reading at 12:24 o'clock p.m.

Conf. Com. Rep. No. 39-88 on H.B. No. 3137, HD 2, SD 2, CD 1:

Representative Levin moved that the report of the Committee be adopted and H.B. No. 3137, HD 2, SD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Cavasso rose to speak in favor of the bill, stating:

"It has been a long time in coming and a lot of people have worked on this and I would like to say 'thank you' to the many committee members that came in to work with this, and I would like to say 'thank you' to the Chairman of the Water, Land Use Committee, and I would like to say 'thank you' to the Representative from Kona, and I would like to say 'thank you' to the Governor.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 3137, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 40-88 on H.B. No. 3441, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 3441, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3137 and 3441 had passed Final Reading at 12:25 o'clock p.m.

Conf. Com. Rep. No. 41-88 on H.B. No. 2055, HD 1, SD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2055, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 42-88 on S.B. No. 3217, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 43-88 on S.B. No. 546, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 44-88 on S.B. No. 587, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 45-88 on H.B. No. 225, HD 2, SD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Levin and carried, the report of the Committee was adopted and H.B. No. 225, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS CEMETERY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2055 and 225 had passed Final Reading at 12:26 o'clock p.m.

Conf. Com. Rep. No. 46-88 on H.B. No. 3242, HD 2, SD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 3242, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3242 had passed Final Reading at 12:27 o'clock p.m.

At 12:27 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Conf. Com. Rep. No. 47-88 on H.B. No. 2532, HD 2, SD 2, CD 1:

Representative Hagino moved that the report of the Committee be adopted and H.B. No. 2532, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Hagino rose to speak in favor of the bill, stating:

"What this bill does is it takes an obscure program, formerly the Department of Human Services, and transfers it to the Department of Defense, elevating it into the Office of Veterans' Services. This office will be in charge of veteran services throughout the State of Hawaii.

"I would like to tell all the members on the floor today that we have an excellent veterans' affairs package this year. There are some 100,000 veterans living in our islands and what we've done this year is we passed just two bills ahead, the veterans' cemetery bill. We are now about to pass the Office of Veterans' Services bill. We have passed earlier in the session a memorial bill for the veterans of the Korean conflict and the Vietnam conflict. We have also set aside tuition waivers for Vietnam veterans and we have passed resolutions to Congress asking that a veterans' hospital be established here in Hawaii and furthermore that the Legislative Reference Bureau look into the possibility of a veterans' care home.

"This, I think, is the most outstanding package of bills and resolutions that we've ever had for veterans and I think this is something we can all be proud of.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2532, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2532 had passed Final Reading at 12:35 o'clock p.m.

Conf. Com. Rep. No. 48-88 on H.B. No. 2054, HD 1, SD 2, CD 1:

Representative Hagino moved that the report of the Committee be adopted and H.B. No. 2054, HD 1, SD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Arakaki rose to speak in favor of the bill, stating:

"In House Bill 2054 which is a Majority package bill, the House reaffirms the importance of families as the basic social unit and institution in our society. Our families as a social unit in recent years have gone through tremendous stresses caused by economic demands and the fast-paced lifestyles of a high-tech, low-tech society. These stresses have caused failures in many families resulting in battered spouses, abused and neglected children, welfare dependency, and criminal lifestyles.

"Mr. Speaker, rather than paying the high price of fixing broken lives, or having the State assume custodianship of abused and neglected children and filling our correctional facilities, your Human Services Committee feel preventive services for families will prove to be more cost-effective in the long term. We need to provide services to our families, not only to those high risk families, but to all families so that they can provide the nurturing environment for all our children.

"Thank you, Mr. Speaker."

Representative Hagino rose and stated:

"Mr. Speaker, just a few additional words in support of this bill.

"I think the child care package this year has been an excellent one. I would especially like to give credit to the previous speaker, the Vice Chairman of the Human Services Committee, Representative Dennis Arakaki, who has done, I think, an outstanding job in this area and all other areas of human services.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2054, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2054 had passed Final Reading at 12:36 o'clock p.m.

Conf. Com. Rep. No. 49-88 on H.B. No. 3297, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 3297, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3297 had passed Final Reading at 12:37 o'clock p.m.

At 12:38 o'clock p.m., the House of Representatives stood in recess until 1:30 o'clock p.m.

AFTERNOON SESSION

The House of Representatives reconvened at 4:03 o'clock p.m.

CONFERENCE COMMITTEE REPORTS

Representatives Souki and Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3178, SD 1, presented a report (Conf. Com. Rep. No. 141-88) recommending that S.B. No. 3178, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, action on Conf. Com. Rep. No. 141-88 and S.B. No. 3178, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3178, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Crozier, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3401, SD 1, presented a report (Conf. Com. Rep. No. 142-88) recommending that S.B. No. 3401, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, action on Conf. Com. Rep. No. 142-88 and S.B. No. 3401, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3401, SD 1, HD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 118, SD 2, presented a report (Conf. Com. Rep. No. 143-88) recommending that S.B. No. 118, SD 2, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, action on Conf. Com. Rep. No. 143-88 and S.B. No. 118, SD 2, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 118, SD 2, HD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 112, SD 1, presented a report (Conf. Com. Rep. No. 144-88) recommending that S.B. No. 122, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 144-88 and S.B. No. 112, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 112, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2441, SD 1, presented a report (Conf. Com. Rep. No. 145-88) recommending that S.B. No. 2441, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 145-88 and S.B. No. 2441, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2441, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2522, presented a report (Conf. Com. Rep. No. 146-88)

recommending that S.B. No. 2522, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 146-88 and S.B. No. 2522, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2522, HD 1, CD 1, were made available to the members of the House.

Representatives Takamine and Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2451, SD 2, presented a report (Conf. Com. Rep. No. 147-88) recommending that S.B. No. 2451, SD 2, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 147-88 and S.B. No. 2451, SD 2, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2451, SD 2, HD 1, CD 1, were made available to the members of the House.

Representatives Hagino and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1725, SD 1, presented a report (Conf. Com. Rep. No. 148-88) recommending that S.B. No. 1725, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 148-88 and S.B. No. 1725, SD 1, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1725, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Levin and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2744, SD 2, presented a report (Conf. Com. Rep. No. 149-88) recommending that S.B. No. 2744, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 149-88 and S.B. No. 2744, SD 2, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2744, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Andrews and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2068, HD 1, presented a report (Conf. Com. Rep. No. 150-88) recommending that H.B. No. 2068, HD 1, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 150-88 and H.B. No. 2068, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2068, HD 1, SD 2, CD 1, were made available to the members of the House.

Representative Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2974, HD 1, presented a report (Conf. Com. Rep. No. 151-88) recommending that H.B. No. 2974, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 151-88 and H.B. No. 2974, HD 1, SD 1, CD 1,

was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2974, HD 1, SD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2332, SD 1, presented a report (Conf. Com. Rep. No. 152-88) recommending that S.B. No. 2332, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 152-88 and S.B. No. 2332, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2332, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2080, HD 1, presented a report (Conf. Com. Rep. No. 153-88) recommending that H.B. No. 2080, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 153-88 and H.B. No. 2080, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2080, HD 1, SD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3264, SD 1, presented a report (Conf. Com. Rep. No. 154-88) recommending that S.B. No. 3264, SD 1, HD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 154-88 and S.B. No. 3264, SD 1, HD 1, CD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3264, SD 1, HD 1, CD 2, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2124, SD 1, presented a report (Conf. Com. Rep. No. 155-88) recommending that S.B. No. 2124, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 155-88 and S.B. No. 2124, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2124, SD 1, HD 1, CD 1, were made available to the members of the House.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of taking certain bills out of order.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 110-88 on H.B. No. 2032, HD 2, SD 2, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 110-88 and H.B. No. 2032, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 36-88 on H.B. No. 2096, SD 2, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 36-88 and H.B. No. 2096, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 115-88 on H.B. No. 3068, SD 1, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 115-88 and H.B. No. 3068, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 117-88 on S.B. No. 3264, SD 1, HD 1, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 117-88 and S.B. No. 3264, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 124-88 on H.B. No. 3408, HD 2, SD 2, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 124-88 and H.B. No. 3408, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A CIVIL RIGHTS COMMISSION," were recommitted to the Committee on Conference.

At 4:05 o'clock p.m., Representative Say asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:20 o'clock p.m.

Conf. Com. Rep. No. 145-88 on S.B. No. 2441, SD 1, HD 1, CD 1:

On motion by Representative Apo, seconded by Representative Liu and carried, Conf. Com. Rep. No. 145-88 and S.B. No. 2441, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 146-88 on S.B. No. 2522:

On motion by Representative Apo, seconded by Representative Liu and carried, Conf. Com. Rep. No. 146-88 and S.B. No. 2522, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 153-88 on H.B. No. 2080, HD 1, SD 1, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 153-88 and H.B. No. 2080, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 155-88 on S.B. No. 2124, SD 1, HD 1, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, Conf. Com. Rep. No. 155-88 and S.B. No. 2124, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND EXPLOSIVES," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 50-88 on H.B. No. 3291, HD 1, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3291, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 51-88 on H.B. No. 2071, HD 1, SD 2, CD 1:

On motion by Representative Shito, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2071, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RENOVATION OF BUILDINGS OR CONSTRUCTION OF EMERGENCY SHELTERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3291 and 2071 had passed Final Reading at 4:23 o'clock p.m.

Conf. Com. Rep. No. 54-88 on S.B. No. 2584, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 55-88 on H.B. No. 3563, HD 2, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 3563, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3563 had passed Final Reading at 4:24 o'clock p.m.

Conf. Com. Rep. No. 56-88 on S.B. No. 743, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 57-88 on S.B. No. 251, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 58-88 on H.B. No. 3150, HD 1, SD 2, CD 1:

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 3150, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITALS," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Jones voting no.

Conf. Com. Rep. No. 59-88 on S.B. No. 3095, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 60-88 on S.B. No. 2024, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 61-88 on H.B. No. 3102, HD 1, SD 2, CD 1:

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 3102, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3150 and 3102 had passed Final Reading at 4:25 o'clock p.m.

Conf. Com. Rep. No. 63-88 on S.B. No. 2267, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 64-88 on S.B. No. 2336, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 65-88 on S.B. No. 1265, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 66-88 on S.B. No. 2848, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 67-88 on S.B. No. 3073, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 68-88 on S.B. No. 2680, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 69-88 on S.B. No. 3190, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 70-88 on H.B. No. 3570, HD 1, SD 1, CD 1:

On motion by Representative Hagino, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 3570, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPORT," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Bunda and Levin voting no.

The Chair directed the Clerk to note that H.B. No. 3570 had passed Final Reading at 4:26 o'clock p.m.

Conf. Com. Rep. No. 71-88 on S.B. No. 3222, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 72-88 on S.B. No. 2363, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

At 4:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:27 o'clock p.m.

Conf. Com. Rep. No. 73-88 on S.B. No. 3182, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 74-88 on S.B. No. 2860, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 75-88 on S.B. No. 1450, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 76-88 on H.B. No. 1499, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 77-88 on S.B. No. 2422, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 78-88 on S.B. No. 2931, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 79-88 on S.B. No. 2633, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 80-88 on S.B. No. 2884, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 81-88 on H.B. No. 501, HD 1, SD 1, CD 1:

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 501, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 82-88 on S.B. No. 2882, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 83-88 on S.B. No. 2955, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 84-88 on H.B. No. 3009, HD 1, SD 2, CD 1:

On motion by Representative Metcalf, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 3009, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUNIOR POLICE ORGANIZATIONS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hemmings voting no.

The Chair directed the Clerk to note that H.B. Nos. 501 and 3009 had passed Final Reading at 4:30 o'clock p.m.

Conf. Com. Rep. No. 85-88 on H.B. No. 3548, HD 2, SD 2, CD 1:

On motion by Representative Metcalf, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 3548, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3548 had passed Final Reading at 4:31 o'clock p.m.

Conf. Com. Rep. No. 86-88 on S.B. No. 3166, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 87-88 on S.B. No. 3161, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 88-88 on S.B. No. 3146, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 89-88 on S.B. No. 2468, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 90-88 on H.B. No. 3238, HD 2, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 3238, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE TRAIL AND ACCESS SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3238 had passed Final Reading at 4:32 o'clock p.m.

Conf. Com. Rep. No. 91-88 on S.B. No. 2979, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 92-88 on H.B. No. 3292, HD 1, SD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 3292, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3292 had passed Final Reading at 4:33 o'clock p.m.

Conf. Com. Rep. No. 93-88 on S.B. No. 2988, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 94-88 on H.B. No. 1361, HD 2, SD 1, CD 1:

Representative Cachola moved that the report of the Committee be adopted and H.B. No. 1361, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Tam rose and requested a conflict ruling saying that he is a travel agent.

The Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1361, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 95-88 on H.B. No. 479, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 479, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Oshiro voting no.

The Chair directed the Clerk to note that H.B. Nos. 1361 and 479 had passed Final Reading at 4:34 o'clock p.m.

Conf. Com. Rep. No. 96-88 on S.B. No. 2559, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 97-88 on H.B. No. 2345, HD 2, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Arakaki and carried, the report of the Committee was adopted and H.B. No. 2345, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ROOMING HOUSES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 98-88 on S.B. No. 2523, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 99-88 on S.B. No. 2922, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 100-88 on S.B. No. 2923, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 101-88 on S.B. No. 3088, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 102-88 on S.B. No. 2112, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 103-88 on H.B. No. 2003, SD 1, CD 1:

On motion by Representative Hagino, seconded by Representative Arakaki and carried, the report of the Committee was adopted and H.B. No. 2003, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL ARBITRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the clerk to note that H.B. Nos. 2345 and 2003 had passed Final Reading at 4:35 o'clock p.m.

Conf. Com. Rep. No. 104-88 on S.B. No. 986, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 105-88 on S.B. No. 2924, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 107-88 on H.B. No. 3496, SD 1, CD 1:

Representative Hagino moved that the report of the Committee be adopted and H.B. No. 3496, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, I am quite concerned that we are sending the wrong message to the Criminal Injuries Compensation Commission. We have a similar Senate Bill on the docket which has been deferred and it is unfortunate that this year I find myself having to vote against this bill when in the past I have consistently supported those who have been victims of crime.

"The reason I will be voting against this measure, Mr. Speaker, is that it includes within its appropriation the maximum amount possible under the Criminal Injuries Compensation Act and that is \$10,000 to an individual who at least ostensibly and at least arguably should not receive a dime. I brought this to the attention of the Chairman of the Judiciary Committee and the Finance Committee as well as to the Criminal Injuries Compensation Commission itself and have received no reply.

"The item I am concerned about is that dealing with an individual who allegedly molested his niece and whose niece claims in self defense, fired upon him. Perhaps, if the total award were merely for medical expenses, somehow this might be totally justifiable. But \$8,000 out of the \$10,000 award are for lost wages. Again, the individual was not on trial himself and this is conjecture.

"But it is disturbing that upon a written communication to the Criminal Injuries Compensation Commission, no response has been given. The letter was written on April 7, hand-delivered to that office, and nothing has been received since then, and they knew full well that this bill was making its way through the Legislature.

"The law states that the Commission shall consider the behavior of the victim and whether because of provocation or otherwise the victim bears any share of the responsibility for the crime that caused the victim's injury or death, the Commission shall reduce the amount of the responsibility for the crime which caused the victim's injury or death. There is no mandate that any victim receive compensation.

"If we kill this bill today, no program will end, no one will lose their jobs, for the people who are deserving, we can always include this money in next year's appropriation under the same premises of the Act. No one will lose a right, no one will lose their chance to get compensation. But it bothers me that this bill, with this amount of money, would have gone through this session without the serious questions being asked of the Commission concerning this particular amount sends the wrong message.

"It is my understanding that in Conference Committee, the question never came up and it should have. I hope we rethink what we are doing in this measure if it does pass and in the future, we look more closely to the annual report submitted by the Commission, and I hope that the Commission will understand that in the future, greater accountability should be had by this body and those who make reasonable inquiry.

"Thank you, Mr. Speaker. I hope all my colleagues will vote 'no' on this bill."

Representative Anderson then rose and requested that the remarks by Representative Liu be inserted in the Journal as his own and the Chair, noting that there were no objections, "so ordered."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3496, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and Liu voting no.

The Chair directed the Clerk to note that H.B. No. 3496 had passed Final Reading at 4:40 o'clock p.m.

Conf. Com. Rep. No. 108-88 on S.B. No. 3093, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 109-88 on S.B. No. 2418, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 111-88 on S.B. No. 2565, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 112-88 on H.B. No. 2002, HD 1, SD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 2002, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 113-88 on H.B. No. 2348, HD 1, SD 1, CD 2:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 2348, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2002 and 2348 had passed Final Reading at 4:41 o'clock p.m.

Conf. Com. Rep. No. 114-88 on H.B. No. 2006, SD 2, CD 1:

On motion by Representative Metcalf, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 2006, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATEWIDE FAIR ACCESS COMMISSION AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Jones voting no.

The Chair directed the Clerk to note that H.B. No. 2006 had passed Final Reading at 4:42 o'clock p.m.

At 4:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 5:01 o'clock p.m., the Vice Speaker assumed the rostrum.

Conf. Com. Rep. No. 116-88 on H.B. No. 2278, HD 1, SD 2, CD 1:

On motion by Representative Metcalf, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 2278, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE COMMISSION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

The Chair directed the Clerk to note that H.B. No. 2278 had passed Final Reading at 5:02 o'clock p.m.

Conf. Com. Rep. No. 119-88 on S.B. No. 3233, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 120-88 on S.B. No. 3248, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 121-88 on H.B. No. 2035, HD 1, SD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2035, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2035 had passed Final Reading at 5:03 o'clock p.m.

Conf. Com. Rep. No. 122-88 on H.B. No. 2022, HD 2, SD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 2022, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A BUSINESS PERMITS SERVICE CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2022 had passed Final Reading at 5:04 o'clock p.m.

Conf. Com. Rep. No. 123-88 on H.B. No. 2027, HD 1, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2027, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS AND ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 125-88 on H.B. No. 2028, HD 2, SD 1, CD 1:

On motion by Representative Levin, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2028, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR A SPACE PORT IN HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2027 and 2028 had passed Final Reading at 5:05 o'clock p.m.

Conf. Com. Rep. No. 126-88 on S.B. No. 3378, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 127-88 on H.B. No. 3308, SD 1, CD 1:

Representative Hirono moved that the report of the Committee be adopted and H.B. No. 3308, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hiraki.

Representative Hayes rose to speak in favor of the bill, stating:

"As the founder of Citizens Against Noise, I am particularly gratified that the Committee has preserved the provisions of the law with respect to disclosure of the Air Installation Compatibility Use Zone status of a property which is offered for sale. This means that the potential buyer has to be advised that the property is exposed to noise from military airfield.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3308, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3308 had passed Final Reading at 5:06 o'clock p.m.

Conf. Com. Rep. No. 130-88 on H.B. No. 2231, HD 1, SD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Bellinger and carried, the report of the Committee was adopted and H.B. No. 2231, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 131-88 on H.B. No. 2220-88, HD 1, SD 1, CD 1:

On motion by Representative Bellinger, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 2220-88, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE VEHICLE PERMIT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2231 and 2220 had passed Final Reading at 5:07 o'clock p.m.

Conf. Com. Rep. No. 132-88 on H.B. No. 2352, SD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 2352, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALVAGED MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2352 had passed Final Reading at 5:08 o'clock p.m.

Conf. Com. Rep. No. 133-88 on S.B. No. 2195, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 134-88 on S.B. No. 2448, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 135-88 on S.B. No. 2681, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 136-88 on S.B. No. 2852, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 137-88 on H.B. No. 3535, HD 1, SD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 3535, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3535 had passed Final Reading at 5:09 o'clock p.m.

Conf. Com. Rep. No. 138-88 on H.B. No. 2031, HD 2, SD 2, CD 1:

On motion by Representative Levin, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 2031, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL SERVICES," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Jones and Liu voting no.

The Chair directed the Clerk to note that H.B. No. 2031 had passed Final Reading at 5:10 o'clock p.m.

Conf. Com. Rep. No. 139-88 on S.B. No. 2462, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

At 5:10 o'clock p.m., Representative Isbell asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 5:15 o'clock p.m., the Speaker resumed the rostrum.

Conf. Com. Rep. No. 140-88 on H.C.R. No. 386, HD 1, SD 1, CD 1:

On motion by Representative Bunda, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 386, HD 1, SD 1, CD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHĪ LAGOON, HONOLULU, OAHU, HAWAII FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, RESEARCH, AND LIGHT INDUSTRIAL PURPOSES," was Finally Adopted.

Conf. Com. Rep. No. 52-88 on S.B. No. 3188, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 53-88 on S.B. No. 3195, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

At 5:19 o'clock p.m., Representative Levin asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:32 o'clock p.m.

Conf. Com. Rep. No. 118-88 on H.B. No. 37, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 129-88 on S.B. No. 2298, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 156) was read by the Clerk and was placed on file:

"STATE OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

April 25, 1988

The Honorable Daniel J. Kihano
Speaker of the House of Representatives

The Fourteenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith is the Executive Order providing for an extension of the 1988 Regular Session of the Fourteenth Legislature.

With kindest regards,

Sincerely,

/s/ John Waihee

JOHN WAIHEE

Enclosure"

"EXECUTIVE ORDER

WHEREAS, Section 10 of Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, the governor has been requested to grant an extension and it appears that such an extension is necessary;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of Hawaii, pursuant to the power vested in me by Section 10 of Article III of the Constitution of the State of Hawaii, do hereby extend the 1988 Regular Session of the Fourteenth Legislature of the State of Hawaii for a period of forty-eight hours following 12:00 midnight, April 25, 1988.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 25th day of April, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price, III

WARREN PRICE, III
Attorney General"

At this time, Representative Apo moved to keep the Journal open until midnight this legislative day for the Clerk to receive Conference Committee Reports in order to comply with the constitutional 48-hour availability requirement before passage of bills on Final Reading; and Standing Committee Reports, seconded by Representative Anderson and carried.

At 5:35 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee and Standing Committee Reports.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com.

Rep. Nos. 156-88 to 166-88) were received in the Clerk's Office:

Conf. Com. Rep. No. 156-88 and H.B. No. 3396, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVENTION CENTER," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 157-88 and H.B. No. 2032, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 158-88 and H.B. No. 2096, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 159-88 and S.B. No. 3197, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 160-88 and H.B. No. 2080, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 161-88 and S.B. No. 2124, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND EXPLOSIVES," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 162-88 and S.B. No. 2441, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 163-88 and H.B. No. 3068, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 164-88 and S.B. No. 2522, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 165-88 and H.B. No. 3408, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO A CIVIL RIGHTS COMMISSION," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

Conf. Com. Rep. No. 166-88 and H.B. No. 2483, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Wednesday, April 27, 1988.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 3396, HD 1, SD 1, CD 1; 2032, HD 2, SD 2, CD 2; 2096, SD 2, CD 2; S.B. No. 3197, SD 2, HD 2, CD 2; H.B. No. 2080, HD 1, SD 1, CD 2; S.B. Nos. 2124, SD 1, HD 1, CD 2; 2441, SD 1, HD 1, CD 2; H.B. No.

3068, SD 1, CD 2; S.B. No. 2522, HD 1, CD 2; H.B. Nos. 3408, HD 2, SD 2, CD 2; and 2483, HD 2, SD 2, CD 1, were made available to the members of the House.

STANDING COMMITTEE REPORTS

The following Standing Committee Reports (Stand. Com. Rep. Nos. 1610-88 to 1612-88) were received in the Clerk's Office:

Stand. Com. Rep. No. 1610-88 (JUD) and S.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1611-88 (JUD) and S.B. No. 2044, entitled: "A BILL FOR AN ACT RELATING TO CALABASH COUSINS OF HAWAII," were placed on the calendar for Third Reading.

Stand. Com. Rep. No. 1612-88 (JUD) and S.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Tuesday, April 26, 1988.

SIXTY-FIRST DAY

Tuesday, April 26, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Gary Peterson of the Kailua United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Bunda, Horita, Jones, Kotani and Tam, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Sixtieth Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Sixtieth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 157 to 161) were read by the Clerk and were placed on file:

Gov. Msg. No. 157, transmitting copies of the Department of Agriculture's REPORT TO THE FOURTEENTH LEGISLATURE, 1988 REGULAR SESSION, IN RESPONSE TO H.C.R. NO. 148, H.D. 1, S.D. 1, OF THE FOURTEENTH LEGISLATURE, 1987 REGULAR SESSION.

Gov. Msg. No. 158, transmitting copies of report prepared by the Department of Health in response to S.R. 118; H.C.R. 232, HD 1; and H.R. 388, HD 1, requesting the Department of Health to continue to study the problem of providing care to indigents in Hawaii.

Gov. Msg. No. 159, transmitting copies of the 1987 Report to the Fourteenth Legislature, prepared by the Employee Stock Ownership Advisory Committee in response to Act 315, Session Laws of 1986, requiring an annual report to the Legislature on steps taken to encourage employee ownership and participation.

Gov. Msg. No. 160, transmitting copies of the 1987 Annual Report prepared by the Department of Defense.

Gov. Msg. No. 161, informing the House that on April 25, 1988, he signed the following bills into law:

Senate Bill No. 2815 as Act 17, entitled: "RELATING TO ADULT EDUCATION PROGRAM";

Senate Bill No. 2816 as Act 18, entitled: "RELATING TO SCHOOL ATTENDANCE";

Senate Bill No. 2817 as Act 19, entitled: "RELATING TO SCHOOL DISTRICT ADVISORY COUNCILS";

Senate Bill No. 2041 as Act 20, entitled: "RELATING TO MATTRESSES";

Senate Bill No. 2190 as Act 21, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

Senate Bill No. 2756 as Act 22, entitled: "RELATING TO AGRICULTURAL PARKS";

Senate Bill No. 3207 as Act 23, entitled: "RELATING TO HEALTH"; and

Senate Bill No. 3227 as Act 24, entitled: "RELATING TO FISHING".

SENATE COMMUNICATION

Sen. Com. No. 1067, informing the House that House Bill No. 2081, HD 1, SD 1, CD 1, has passed Final Reading in the Senate on April 25, 1988, was read by the Clerk and placed on file.

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

Representative Bellinger introduced Mr. Alden Puckett, Academic Vice President of BYU-Hawaii, and Mrs. Puckett.

Representative Tom introduced Patricia Zell, "an individual who worked for my office two years ago and presently attending law school at the University of San Diego School of Law."

Representative D. Ige introduced 30 students from Nimitz Elementary School. They were accompanied by their teacher, Ms. Gail Fukumoto.

Representative Alcon introduced his father, Eugenio M. Alcon, from Long Beach, California, and Lutgarda U. Alcon, his sister-in-law.

Representative Medeiros introduced Kinau Boyd Kamalii, a former colleague.

At 11:26 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:20 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Horita, Kotani and Tam.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1559-88 on S.B. No. 3135:

On motion by Representative Souki, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 3135, entitled: "A BILL FOR AN ACT RELATING TO AN INTENSIVE PAROLE SUPERVISION PILOT PROGRAM," having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Anderson voting no, and Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3135 had passed Third Reading at 1:22 o'clock p.m.

Stand. Com. Rep. No. 1560-88 on S.B. No. 3169:

Representative Souki moved that the report of the Committee be adopted and S.B. No. 3169, having been read throughout, pass Third Reading, seconded by Representative Kawakami.

Representative Liu rose to speak against the bill, stating:

"I would just like the Clerk to have my comments which were made on Conference Committee Report 107 inserted into the Journal on this bill. Same amount, same appropriation. We are giving \$10,000 to someone who very likely was a child molester.

"Thank you, Mr. Speaker."

Representative Liu's remarks, against the bill, are as follows:

"Mr. Speaker, I am quite concerned that we are sending the wrong message to the Criminal Injuries Compensation Commission. We have a similar Senate Bill on the docket which has been deferred and it is unfortunate that this year I find myself having to vote against this bill when in the past I have consistently supported those who have been victims of crime.

"The reason I will be voting against this measure, Mr. Speaker, is that it includes within its appropriation the maximum amount possible under the Criminal Injuries Compensation Act and that is \$10,000 to an individual who at least ostensibly and at least arguably should not receive a dime. I brought this to the attention of the Chairman of the Judiciary Committee and the Finance Committee as well as to the Criminal Injuries Compensation Commission itself and have received no reply.

"The item I am concerned about is that dealing with an individual who allegedly molested his niece and whose niece claims in self defense, fired upon him. Perhaps, if the total award were merely for medical expenses, somehow this might be totally justifiable. But \$8,000 out of the \$10,000 award are for lost wages. Again, the individual was not on trial himself and this is conjecture.

"But it is disturbing that upon a written communication to the Criminal Injuries Compensation Commission, no response has been given. The letter was written on April 7, hand-delivered to that office, and nothing has been received since then, and they knew full well that this bill was making its way through the Legislature.

"The law states that the Commission shall consider the behavior of the victim and whether because of provocation or otherwise the victim bears any share of the responsibility for the crime that caused the victim's injury or death, the Commission shall reduce the amount of the responsibility for the crime which caused the victim's injury or death. There is no mandate that any victim receive compensation.

"If we kill this bill today, no program will end, no one will lose their jobs, for the people who are deserving, we can always include this money in next year's appropriation under the same premises of the Act. No one will lose a right, no one will lose their chance to get compensation. But it bothers me that this bill, with this amount of money, would have gone through this session without the serious questions being asked of the Commission concerning this particular amount sends the wrong message.

"It is my understanding that in Conference Committee, the question never came up and it should have. I hope we rethink what we are doing in this measure if it does not pass and in the future, we look more closely to the annual report submitted by the Commission, and I hope that the Commission will understand that in the future, greater accountability should be had by this body and those who make reasonable inquiry.

"Thank you, Mr. Speaker. I hope all my colleagues will vote 'no' on this bill."

Representative Anderson rose and stated:

"Again, I misplaced my statement so would you please have the Minority Leader's remarks inserted in the Journal as my own.

"Thank you."

The Chair, noting that there were no objections, "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3169, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Anderson and Liu voting no, and Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3169 had passed Third Reading at 1:25 o'clock p.m.

Stand. Com. Rep. No. 1561-88 on S.B. No. 2213, SD 1:

On motion by Representative Souki, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 2213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO FINANCE A WIND ENERGY PROJECT IN THE COUNTY OF MAUI," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Stand. Com. Rep. No. 1562-88 on S.B. No. 2171, SD 1:

On motion by Representative Souki, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 2171, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF DISTRICT COURT JUDGES," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Stand. Com. Rep. No. 1563-88 on S.B. No. 2389, SD 1:

On motion by Representative Souki, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 2389, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONER'S BONUS," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2213, 2171 and 2389 had passed Third Reading at 1:26 o'clock p.m.

Conf. Com. Rep. No. 17-88 on S.B. No. 3076, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.B. No. 3076, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 19-88 on S.B. No. 2276, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.B. No. 2276, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII-MADE PRODUCTS," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 26-88 on S.B. No. 3219, SD 1, HD 1, CD 1:

On motion by Representative Shon, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 3219, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISEMENT FOR BIDS REQUIRED; EXCEPTIONS," having been read throughout, passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Anderson, Cavasso, Hemmings, Liu, O'Kieffe and Ribellia voting no, and Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3076, 2276 and 3219 had passed Final Reading at 1:27 o'clock p.m.

Conf. Com. Rep. No. 27-88 on S.B. No. 2871, SD 1, HD 1, CD 1:

On motion by Representative Shon, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 28-88 on S.B. No. 1541, SD 2, HD 2, CD 1:

On motion by Representative Shon, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 1541, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2871 and 1541 had passed Final Reading at 1:28 o'clock p.m.

Conf. Com. Rep. No. 29-88 on S.B. No. 2868, SD 1, HD 2, CD 1:

Representative Shon moved that the report of the Committee be adopted and S.B. No. 2868, SD 1, HD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Metcalf.

Representative Cavasso then rose to speak in favor of the bill, stating:

"Mr. Speaker, I am a person who is allergic to tobacco smoke and I am so pleased to see the many actions this Legislature is taking to continue to give us the right to breathe clean air. I encourage all people to vote in favor of this bill.

"Thank you, Mr. Speaker."

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, the reason I am speaking against this bill is I think that, as usual, we are going overboard. Every year we come down here, and every year we're worried about everybody's health, and yet we do so many things that are wrong and to tell me that we're taking a stand that's going to be beneficial to the people of this State, I think is absolutely ridiculous. It is not helping anyone and as I said before, if you want to outlaw it, then outlaw tobacco altogether. Write to your Congressmen, don't tax it, don't tax liquor, and let's be healthy right clear through the whole United States.

"Thank you, Mr. Speaker."

Representative Souki rose and stated:

"Mr. Speaker, I wish to speak against the motion and I would want the speech of the esteemed Minority Floor Leader be inserted into the Journal as my own."

The Chair responded:

"Do we allow Minority remarks with the Majority put together? But I will allow it." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2868, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," having been read throughout, passed Final Reading by a vote of 37 ayes to 12 noes with Representatives Alcon, Anderson, Apo, Honda, Marumoto, Medeiros, Peters, Ribellia, Say, Shito, Souki and Yoshimura voting no, and Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2868 had passed Final Reading at 1:29 o'clock p.m.

Conf. Com. Rep. No. 32-88 on S.B. No. 2362, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.B. No. 2362, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 34-88 on S.B. No. 2318, HD 1, CD 1:

On motion by Representative Souki, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 2318, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read throughout, passed Final Reading by a vote of 49

ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2362 and 2318 had passed Final Reading at 1:30 o'clock p.m.

Conf. Com. Rep. No. 35-88 on S.B. No. 2773, SD 1, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEADS OF DEPARTMENTS," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones.

Conf. Com. Rep. No. 42-88 on S.B. No. 3217, SD 1, HD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 3217, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2773 and 3217 had passed Final Reading at 1:31 o'clock p.m.

Conf. Com. Rep. No. 43-88 on S.B. No. 546, SD 1, HD 2, CD 1:

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 546, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 44-88 on S.B. No. 587, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 587, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND MOPED LICENSES," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 546 and 587 had passed Final Reading at 1:32 o'clock p.m.

At 1:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:37 o'clock p.m.

Conf. Com. Rep. No. 54-88 on S.B. No. 2584, SD 1, HD 2, CD 1:

On motion by Representative Taniguchi, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 2584, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BISHOP MUSEUM," having been read throughout, passed Final Reading by a vote of 46 ayes to 3 noes, with Representatives Hashimoto, Peters and Yoshimura voting no, and Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 56-88 on S.B. No. 743, SD 1, HD 1, CD 1:

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 743, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2584 and 743 had passed Final Reading at 1:38 o'clock p.m.

Conf. Com. Rep. No. 57-88 on S.B. No. 251, SD 1, HD 2, CD 1:

Representative Takamine moved that the report of the Committee be adopted and S.B. No. 251, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Anderson then rose and stated:

"At this time, Mr. Speaker, I would like to vote 'no' against the bill and I had some reservations on this the other day. I made some comments for the Conference Committees and it's still the same and I would like that inserted into the Journal."

The Chair noting that there were no objections, "so ordered." (By reference only)

Representative Alcon then rose and stated:

"Mr. Speaker, I support this bill with some reservations and that reservation is that some day, I hope all the civil rights workers will be honored.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 251, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HOLIDAYS," having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Anderson voting no, and Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. No. 251 had passed Final Reading at 1:39 o'clock p.m.

Conf. Com. Rep. No. 59-88 on S.B. No. 3095, SD 1, HD 1, CD 1:

On motion by Representative Honda, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 3095, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MANUFACTURING AGRICULTURAL PRODUCTS," having been read throughout, passed Final Reading by a vote of 44 ayes to 5 noes, with Representatives Cavasso, D. Ige, Liu, Marumoto and Ribellia voting no, and Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 60-88 on S.B. No. 2024, SD 1, HD 2, CD 1:

On motion by Representative Souki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2024, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

OCEAN RESOURCES," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3095 and 2024 had passed Final Reading at 1:40 o'clock p.m.

Conf. Com. Rep. No. 63-88 on S.B. No. 2267, SD 1, HD 1, CD 1:

On motion by Representative Takamine, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and S.B. No. 2267, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2267 had passed Final Reading at 1:41 o'clock p.m.

Conf. Com. Rep. No. 64-88 on S.B. No. 2336, HD 1, CD 1:

On motion by Representative Arakaki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2336, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HANDICAPPED PERSONS," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 65-88 on S.B. No. 1265, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 1265, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RECREATION," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2336 and 1265 had passed Final Reading at 1:42 o'clock p.m.

Conf. Com. Rep. No. 66-88 on S.B. No. 2848, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2848, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 67-88 on S.B. No. 3073, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 3073, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

Conf. Com. Rep. No. 68-88 on S.B. No. 2680, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2680, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXICABS," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Bunda and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2848, 3073 and 2680 had passed Final Reading at 1:43 o'clock p.m.

Conf. Com. Rep. No. 69-88 on S.B. No. 3190, SD 1, HD 1, CD 1:

Representative Shito moved that the report of the Committee was adopted and S.B. No. 3190, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hayes.

Representative Liu rose to speak in favor of the bill, stating:

"I would like to note that this bill, by setting out a procedure whereby the State can rationally and systematically make repairs or repurchase homes that it has built through its housing programs, that by institutionalizing this process and by passing this bill, we are recognizing, for the future, that there is a strong potential for liability in our other housing programs, many of which we will be embarking upon through the measures we are passing this session.

"There will be a cost. I hope they will be minimal, and I think we should be aware that for those of us who will vote 'aye' on a later bill concerning \$120-million that there are some other potential costs in that situation and this bill points that out.

"Thank you, Mr. Speaker."

At 1:45 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:46 o'clock p.m.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Levin voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3190 had passed Final Reading at 1:46 o'clock p.m.

At 1:47 o'clock p.m., Representative Hagino asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 2:12 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Bunda.

Conf. Com. Rep. No. 71-88 on S.B. No. 3222, SD 1, HD 1, CD 1:

On motion by Representative D. Ige, seconded by Representative Okamura and carried, Conf. Com. Rep. No. 71-88 and S.B. No. 3222, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD

CARE," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 72-88 on S.B. No. 2363, SD 2, HD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2363, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Liu voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2363 had passed Final Reading at 2:15 o'clock p.m.

Conf. Com. Rep. No. 73-88 on S.B. No. 3182, SD 2, HD 2, CD 1:

Representative Andrews moved that the report of the Committee be adopted and S.B. No. 3182, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative O'Kieffe rose to speak in favor of the bill, stating:

"Mr. Speaker, this bill will go a long way in helping the Big Island achieve the broadening of its economic base by helping in the development of its geothermal potential.

"I had the pleasure of sitting on the Conference Committee and actively participated with Chairman Andrews, his staff, and Environmental Center in the writing of this bill. Among other things, the language of this bill makes sure that the rights of the counties and the public hearing process will not be diluted in any way. At the same time, innovative steps will be initiated that will streamline and consolidate what could have been a very burdensome process.

"Geothermal is one way our State can help reduce our dependency on foreign oil. I urge all of us in this room to support this bill.

"Thank you, Mr. Speaker."

Representative Metcalf rose to speak in favor of the bill, stating:

"In the spirit of bi-partisanship, I would like to have Representative O'Kieffe's remarks on this subject included in the record as my own."

The Chair, noting that there were no objections, "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3182, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT AND USE OF GEOTHERMAL ENERGY," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 74-88 on S.B. No. 2860, SD 1, HD 1, CD 1:

On motion by Representative Andrews, seconded by Representative Kanoho and carried, the report of the

Committee was adopted and S.B. No. 2860, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3182 and 2860 had passed Final Reading at 2:16 o'clock p.m.

Conf. Com. Rep. No. 75-88 on S.B. No. 1450, SD 2, HD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1450, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 1450 had passed Final Reading at 2:17 o'clock p.m.

At 2:18 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:25 o'clock p.m.

Conf. Com. Rep. No. 76-88 on H.B. No. 1499, HD 2, SD 1, CD 1:

Representative Takamine moved that the report of the Committee be adopted and H.B. No. 1499, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Hagino then rose and requested a roll call vote.

Roll call having been requested, the motion was put by the Chair and H.B. No. 1499, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," failed to pass Final Reading by a vote of 25 ayes to 23 noes, with Representatives Anderson, Andrews, Arakaki, Bellinger, Fukunaga, Hagino, Hayes, Hemmings, Hiraki, Hirono, D. Ige, Kawakami, Lee, Leong, Levin, Liu, Metcalf, O'Kieffe, Oshiro, Pfeil, Ribellia, Shon and Tam voting no, which was less than two-thirds of the vote to which the House is entitled, and Representatives Cavasso, Crozier and Jones being excused.

At 2:30 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:33 o'clock p.m.

Conf. Com. Rep. No. 77-88 on S.B. No. 2422, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2422, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTORISTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2422 had passed Final Reading at 2:33 o'clock p.m.

Conf. Com. Rep. No. 78-88 on S.B. No. 2931, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 2931, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM EMPLOYEES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2931 had passed Final Reading at 2:34 o'clock p.m.

Conf. Com. Rep. No. 79-88 on S.B. No. 2633, HD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 2633, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING-IMPAIRED," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Kanoho voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 80-88 on S.B. No. 2884, SD 1, HD 1, CD 1:

Representative Cachola moved that the report of the Committee be adopted and S.B. No. 2884, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Hemmings rose to speak against the bill, stating:

"Briefly, I think the tourist industry is fully capable of training and developing its own workforce. I think that, if anything, government can spend the money better helping the truly needy in our community rather than trying to interfere with the training and development of our workforce for the tourist industry.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2884, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM TRAINING COUNCIL," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Hemmings voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2884 had passed Final Reading at 2:35 o'clock p.m.

Conf. Com. Rep. No. 82-88 on S.B. No. 2882, SD 2, HD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 2882, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT AND RECYCLING OPPORTUNITY," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 83-88 on S.B. No. 2955, SD 2, HD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Souki and carried, the report of the

Committee was adopted and S.B. No. 2955, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2882 and 2955 had passed Final Reading at 2:36 o'clock p.m.

Conf. Com. Rep. No. 86-88 on S.B. No. 3166, HD 1, CD 1:

On motion by Representative Andrews, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 3166, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Hemmings and Liu voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3166 had passed Final Reading at 2:37 o'clock p.m.

Conf. Com. Rep. No. 87-88 on S.B. No. 3161, SD 1, HD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 3161, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3161 had passed Final Reading at 2:38 o'clock p.m.

Conf. Com. Rep. No. 88-88 on S.B. No. 3146, SD 1, HD 1, CD 1:

Representative Shito moved that the report of the Committee be adopted and S.B. No. 3146, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hirono.

Representative Hayes rose to speak in favor of the bill, stating:

"Mr. Speaker, this is the only one of the land reform bills that has passed the Legislature. It is a very modest bill. It simply says that when a landowner has decided to sell that he must give the first refusal chance to the people who live in and who own the apartments in the building which stands on his land. It was brought about by someone who used highway man tactics and it was felt that we adopt this method of curbing that.

"Thank you."

Representative Peters rose to speak against the bill, stating:

"I didn't have any written comments. In fact, I wasn't going to say anything but since Representative Hayes talked about land reform, I am speaking against this measure exactly for that reason.

"Isn't it funny that maybe to some of you, every time it comes to stealing Hawaiian lands, you call it land reform. This is obviously a right that is not part of any lease agreement and every time something goes wrong, we come here to change the law.

"I know a lot of Hawaiians in jail today who would like to see the law changed. Why don't we consider doing that? I just get a little sick and tired of having these people get away with their particular perspective and points of view and everytime it doesn't work, come in and change the law.

"Thank you, Mr. Speaker."

Representative Hayes rose and stated:

"Mr. Speaker, the honorable Representative's comments do not seem to me to fit the bill. What has been done here is a matter of common sense and ordinary justice.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3146, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," having been read throughout, passed Final Reading by a vote of 43 ayes to 7 noes, with Representatives Anderson, Bunda, Crozier, M. Ige, Peters, Say and Yoshimura voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 89-88 on S.B. No. 2468, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 2468, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3146 and 2468 had passed Final Reading at 2:42 o'clock p.m.

Conf. Com. Rep. No. 91-88 on S.B. No. 2979, SD 2, HD 2, CD 1:

Representative Hagino moved that the report of the Committee be adopted and S.B. No. 2979, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Arakaki then rose and requested that his remarks, in favor of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Arakaki's remarks are as follows:

"As Vice Chairman of the Human Services Committee of the State House of Representatives, I have had the opportunity to visit programs and institutions that deal with juvenile justice in the State of Hawaii, to visit alternatives to incarceration model programs on the mainland and to attend the recent informational briefing on Juvenile Justice by the joint House Committees on Judiciary and Human Services held on November 9, 1987. The information presented to me through these programs and the briefing points to a glaring need for reforms in our Juvenile Justice system. There is an apparent need for a more integrated system and a designated agency that will coordinate services and be accountable for the rehabilitation of youthful offenders.

"The shameful lack of alternatives leaves our Family Court judges in a quandary as to how to prescribe services for youthful offenders that could intervene or divert their inevitable path toward the adult corrections system. What happens when an offender leaves the Youth Correctional Facility? Very little, if anything. Our system fails to provide vocational training, life skills, or any type of transition programs upon release into the community. Young adults are doomed to failure.

"The problems of the Youth Correctional Facility are just symptoms of the larger issues confronting us. The Legislature will need to provide direction and, if necessary, institute mandates, to encourage the appropriate departments to develop a systematic approach to the problems of youthful offenders. I welcome any input you could offer on this subject and look forward to your support of the efforts of the Human Services Committee."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2979, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 93-88 on S.B. No. 2988, SD 2, HD 2:

On motion by Representative Shito, seconded by Representative Hagino and carried, the report of the Committee was adopted and S.B. No. 2988, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AMENDMENT AND APPROPRIATION TO THE STATE RENT SUPPLEMENT PROGRAM," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2979 and 2988 had passed Final Reading at 2:43 o'clock p.m.

Conf. Com. Rep. No. 96-88 on S.B. No. 2559, SD 1, HD 1, CD 1:

On motion by Representative Bellinger, seconded by Representative Hagino and carried, the report of the Committee was adopted and S.B. No. 2559, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 98-88 on S.B. No. 2523, SD 1, HD 1, CD 1:

On motion by Representative Bellinger, seconded by Representative Hagino and carried, the report of the Committee was adopted and S.B. No. 2523, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING VIOLATIONS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2559 and 2523 had passed Final Reading at 2:44 o'clock p.m.

Conf. Com. Rep. No. 99-88 on S.B. No. 2922, SD 1, HD 1, CD 1:

On motion by Representative Bellinger, seconded by Representative Hagino and carried, the report of the Committee was adopted and S.B. No. 2922, SD 1, HD 1,

CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 100-88 on S.B. No. 2923, SD 1, HD 1, CD 1:

On motion by Representative Bellinger, seconded by Representative Hagino and carried, the report of the Committee was adopted and S.B. No. 2923, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2922 and 2923 had passed Final Reading at 2:45 o'clock p.m.

Conf. Com. Rep. No. 101-88 on S.B. No. 3088, SD 2, HD 2, CD 1:

Representative Hagino moved that the report of the Committee be adopted and S.B. No. 3088, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

Representative Hagino rose and stated:

"Mr. Speaker, I would just like to say a few words in support of this bill and to recap what we've done in the area of human services.

"This bill is to expand medical care services to pregnant mothers, the elderly, the homeless, and other indigent groups in our society.

"I have mentioned earlier yesterday that we had a very good veterans' package. I think this bill, together with the other bills already passed, has capped a tremendous two years in the area of human services. There isn't a single group in society that we did not touch through the human services program. We have touched the lives of the elderly, the young people, the abused, the veterans, the sick, and the poor.

"I would like to thank all the members of my committee, all the members of this floor, and the Finance Committee for their support.

"I just wanted to say a couple of words in addition.

"Two years ago, when Speaker Kawakami asked me to be the Human Services Committee, I told him I didn't want to be the Human Services Committee Chairman, that he should try to get someone else, and he said, 'No, you're going to have to be Human Services Chairman,' primarily because nobody else wanted to take the committee. And I told him, well, I would do it, but I didn't think Human Services would get much of a priority and that much of the priorities would go to economic development and he promised me then that Human Services will get an equal share of attention. He also gave me two things. He gave me a terrific Vice Chairman, Representative Arakaki, and he gave me some inspiration. And I will always remember the words that he said and it has sustained me through these two years into developing the human services program. Speaker Kawakami said that, 'And that all that has divided us will merge, and that compassion will be wedded power, and that all would care for the sick and the weak and the old, and then all will nourish the young, and then all will live in harmony with each other and the earth and that everywhere will be called Eden once again.' This is the

quote that he gave in his speech. It was written by Judy Chicago. I have always remembered those words through these two years and I am really very grateful for having the opportunity for serving in this human services area because it has to deal with the many people that are so often ignored by society, and I will always remember these two years.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3088, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 102-88 on S.B. No. 2112, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.B. No. 2112, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3088 and 2112 had passed Final Reading at 2:49 o'clock p.m.

Conf. Com. Rep. No. 104-88 on S.B. No. 986, SD 2, HD 1, CD 1:

Representative Hirono moved that the report of the Committee be adopted and S.B. No. 986, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Shon.

At 2:50 o'clock p.m., Representative Liu asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:51 o'clock p.m.

Representative Lee rose to speak against the bill, stating:

"Mr. Speaker, I recognize that there is a problem in mental illness, alcohol, and drug abuse. Now, these are society's problems. It demands society's solutions. It will be much more open and above-board if the government would address these problems, but instead, we are trying to mandate coverage and do it in a very easy way by resorting to traditional medical providers. As we all know, many of these problems require counseling and one of the most successful methods or means has been the organization Alcoholics Anonymous and that does not require any legal mandate in the coverage.

"What I am concerned, however, is that it places a burden again on business for society's problems, and those businesses that are least able to cope with this, for example the sugar industry, will find the mandate a real burden. And for this reason, although I sympathize and I agree with the intent of the legislation, I would like to simply say I have to regretfully vote against this bill.

"Thank you, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"I would like to have the well spoken words of Representative Lee inserted in the Journal as my own.

"Thank you, Mr. Speaker."

The Chair, noting that there were no objections, "so ordered." (By reference only)

Representative Andrews then rose and requested that his remarks, against the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Andrews' remarks are as follows:

"Mr. Speaker, I rise to speak against Senate Bill 986, SD 2, HD 1, CD 1.

"Mr. Speaker, this bill is another example of our willingness to continually take steps to:

1. Increase the cost of health care to consumers and business;
2. Ignore the desires of our constituents; and
3. Completely disregard the advice provided to us by Reports and Studies ordered by this body.

First of all, Mr. Speaker, there are cost implications here that I do not feel are fully comprehended by this body. Although the report submitted by the Auditor could not draw a conclusion as to the cost impacts, various estimates were provided. The report did say that of the majority of those states who passed such legislation, and that experienced increases, those increases were in the range of 5 to 10 percent.

"The latest estimates provided by HMSA to the Conference Committee were well below this range of 5 to 10 percent. They estimated that this bill would cost about \$45.00 to \$50.00 per year, per family plan.

"Now, I understand some people question HMSA's creditability in these matters. I, for one, give HMSA's estimates a lot of creditability--they are the ones who will be sending me the bill. Mr. Speaker, when I want to know how much something is going to cost, I ask the person who is selling the product, how much. HMSA is going to be sending us the bill and to take their estimates lightly is irresponsible.

And, Mr. Speaker, we are doing all this to provide a service where the only perceived need is among the providers of the service. The Auditor's report continually points out that inadequate coverage has not resulted in the lack of treatment, and that the demand of these services are low among the general public, and non-existent within organized labor. In fact, the Auditor's report goes on further to say that "Unions, as well as employers, have become increasingly aware of the cost of coverage and they say present levels of coverage are adequate."

"Mr. Speaker, along with the certainty of some increase in health insurance cost and the lack of public desire for this measure, what bothers me even more is this body's continued willingness to ignore the advice of reports and studies we have requested. Our Auditor says in the findings of his report on this measure that:

1. There is little evidence that inadequate coverage has resulted in lack of treatment;

2. There is little, if any, demand for these services; and

3. That there is certainly to be some impact on the cost of our health insurance.

"By passing this bill, we reject those findings. The very findings that last year we said were so important to understand before we proceed with this type of legislation.

"Mr. Speaker, we are not only rejecting the findings of this report, but in passing this bill, we are rejecting the findings of numerous reports given to us over the past few years. All with the same message, the message being 'This is not the time to be moving into this type of legislation.'

"Mr. Speaker, I would like to cite to you these reports:

1. Three reports from the Governor's Small Business Advisory Committee, a Committee that is made up of small business leaders and members of the State Administration.
 - a. All of these reports, spanning the years from 1984 to 1986, recommend that the State avoid mandating new health care benefits;
2. A report entitled, 'Small Business. Current Problems and Opportunities,' which we received this year in response to Senate Concurrent Resolution 102, SD 1, and House Resolution 260, HD 1, identifies mandated health care benefits as one of the most important problems facing small business today; and finally
3. We also received this year a report entitled, 'Health Care Benefit Cost for Retired Public Employees: Issues and Funding Options.' This report was done in response to Senate Resolution 138, SD 1, and House Resolution 436, HD 1. Both resolutions expressed concern over sufficient public employer funding of health benefit plan premiums.

By reading this report, you will find that it is possible that if health insurance cost continues to rise, the existing programs for our retirees may have to be severely curtailed.

"Mr. Speaker, if I were a State employee today, I would be very concerned about our actions on this bill.

"Why have we ignored these reports? I don't know, Mr. Speaker.

"But I do know that the bulk of those people who supported this measure at the public hearing were the providers of these services. Those people who stand to gain financially by our passing this bill.

"Mr. Speaker, I guess all I can say is that if we are going to continually pass legislation based on the input of those who will gain financially by the legislation, and continue to ignore the numerous reports that advise against passage of such legislation, then God help the taxpayer!

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 986, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 38 ayes to

12 noes, with Representatives Anderson, Andrews, Apo, Cavasso, Hemmings, D. Ige, Lee, Liu, O'Kieffe, Peters, Pfeil and Ribellia voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 986 had passed Final Reading at 2:52 o'clock p.m.

Conf. Com. Rep. No. 105-88 on S.B. No. 2924, SD 1, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 2924, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT INJURY AND NEGLIGENT HOMICIDE," having been read throughout, passed Final Reading by a vote of 36 ayes to 14 noes, with Representatives Cachola, Crozier, Bunda, Fukunaga, Hirono, Honda, D. Ige, Kanoho, Kawakami, Lee, Leong, Levin, Souki and Tajiri voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2924 had passed Final Reading at 2:54 o'clock p.m.

Conf. Com. Rep. No. 108-88 on S.B. No. 3093, SD 1, HD 1, CD 1:

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 3093, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Hashimoto, Liu, Say and Yoshimura voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 109-88 on S.B. No. 2418, SD 2, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2418, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF MORTGAGES OF REAL PROPERTY OR FIXTURES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3093 and 2418 had passed Final Reading at 2:55 o'clock p.m.

Conf. Com. Rep. No. 111-88 on S.B. No. 2565, SD 1, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 2565, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 2565 had passed Final Reading at 2:56 o'clock p.m.

Conf. Com. Rep. No. 119-88 on S.B. No. 3233, SD 2, HD 1, CD 1:

Representative Takamine moved that the report of the Committee be adopted and S.B. No. 3233, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Levin.

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, for a State that's desiring to promote better business atmosphere in spending literally millions of dollars of taxpayers' money in promotions and trying to go into business themselves, it hardly seems reasonable to tighten restrictions for enterprise zones that would encourage the private sector development of business.

"It's been the experience of most successful capitalist free enterprise systems that business does a better job of conducting business than government in enterprise zones because it encourages business rather than government development of business.

"I vote 'no' against this bill, Mr. Speaker."

Representative Apo rose to speak in favor of the bill, stating:

"Waianae, which I fully expect will be designated an enterprise zone, has been waiting for thirty years for the private sector to do something up there. And so far, they haven't.

"For that reason, I support this bill because I think it is going to help attract some business out there who otherwise would not come."

Representative Hemmings, in rebuttal, stated:

"For thirty years, this government has been run by the Majority Party who has been effectuating the policies of economic development that make it such that business does not want to go to Waianae to develop business.

"Thank you, Mr. Speaker."

Representative Apo rose in rebuttal, stating:

"Mr. Speaker, I won't belabor the point. Let it suffice for me to say that government is finally doing something about it and I regret the Representative's 'no' vote on it now that we are taking some action."

At 2:57 o'clock p.m., Representative Peters asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:58 o'clock p.m.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3233, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Hemmings voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 120-88 on S.B. No. 3248, SD 2, HD 1, CD 1:

On motion by Representative Andrews, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.B. No. 3248, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOTTLED WATER," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3233 and 3248 had passed Final Reading at 2:59 o'clock p.m.

Conf. Com. Rep. No. 126-88 on S.B. No. 3378, SD 1, HD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.B. No. 3378, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Liu voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 128-88 on S.B. No. 3080, SD 1, HD 2, CD 1:

On motion by Representative Shito, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 3080, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX LAW," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 133-88 on S.B. No. 2195, SD 2, HD 2, CD 1:

On motion by Representative Levin, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 2195, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3378, 3080 and 2195 had passed Final Reading at 3:00 o'clock p.m.

Conf. Com. Rep. No. 134-88 on S.B. No. 2448, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 2448, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES LEFT UNATTENDED ON PRIVATE AND PUBLIC PROPERTY," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

Conf. Com. Rep. No. 135-88 on S.B. No. 2681, SD 1, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 2681, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2448 and 2681 had passed Final Reading at 3:01 o'clock p.m.

Conf. Com. Rep. No. 136-88 on S.B. No. 2852, HD 1, CD 1:

On motion by Representative Oshiro, seconded by Representative Bunda and carried, the report of the

Committee was adopted and S.B. No. 2852, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Say voting no, and Representative Jones being excused.

Conf. Com. Rep. No. 139-88 on S.B. No. 2462, SD 1, HD 1, CD 1:

On motion by Representative Levin, seconded by Representative Andrews and carried, the report of the Committee was adopted and S.B. No. 2462, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF STREAMS," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Say voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2852 and 2462 had passed Final Reading at 3:02 o'clock p.m.

At 3:02 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:03 o'clock p.m.

Conf. Com. Rep. No. 52-88 on S.B. No. 3188, SD 1, HD 2, CD 1:

On motion by Representative Shito, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 3188, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. No. 3188 had passed Final Reading at 3:03 o'clock p.m.

Conf. Com. Rep. No. 53-88 on S.B. No. 3195, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 118-88 on H.B. No. 37, HD 1, SD 2, CD 1:

Representative Levin moved that the report of the Committee be adopted and H.B. No. 37, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Metcalf.

Representative Levin rose to speak in favor of the bill, stating:

"Today may be a day of historic significance, Mr. Speaker, a day for this House, the Hawaiian people, and all the citizens of our State to acknowledge and celebrate.

"We have before us a bill--House Bill 37--which we hope will be a landmark of justice for our State and for all its people. The passage of this bill is also a promise fulfilled by the members of this House who endorsed it as part of our Majority Package at the beginning of the 1987 session.

"This bill recognizes that the State of Hawaii took on a solemn trust obligation, a high fiduciary responsibility when it joined the United States in 1959--an obligation to administer and to manage certain public lands for the sole benefit of native Hawaiians.

"Our State has not always honored that trust nor fulfilled its obligations.

"But today we renew that trust. Today we hold ourselves accountable to the native beneficiaries if we ever again ignore or violate that trust in the future.

"The bill also begins the difficult journey toward justice for past wrongs to the trusts. With this measure, we give ourselves--the Governor and the Legislature--three years to review what has happened in the past and to forge a plan of redress for those wrongs to the trusts going back to 1959.

"It is proper and just that we do so.

"If we were trustees of a private trust, and if we had used the beneficiaries' property for ourselves instead of for the benefit of our ward, we would, rightly, have to pay for our failure as trustees. At the least, we would be subject to civil penalties and, perhaps, even beyond in a criminal suit.

"Even if no crime or malice occurred or was intended--as is certainly true of past State actions--even then, as trustees in a private situation, we would still bear a fiscal obligation. No matter how well-intended the non-beneficiary use of such property, the trust beneficiary has the right to expect rent from that improper use, and to demand that such rent, once paid, be used solely for the beneficiary.

"This use of Hawaiian trust lands by the State for non-beneficiary purposes without compensation is the most glaring of past wrongs that have been committed.

"The State has used Hawaiian trust lands and failed to pay rent--the general public has benefitted but at the expense of the native beneficiaries. We saved on rent, the trust lost out on income. We have to pay that rent to restore the trust, to restore our integrity as trustees.

"I suppose that there may still be some people who would argue that there shouldn't be a Hawaiian Homes trust or a ceded lands trust--that somehow these trusts violate our basic sense of equality under law, and that Hawaiians are being given special treatment.

"However, the history of these islands and of the native people, through the guarantees of the federal Constitution and the national law, compel a particular status and warrant certain entitlements. Among such benefits are the native trusts.

"Even if one were to read the history differently than I, were somehow to ignore or disbelieve that wrongs were committed, for the purposes of this bill, it does not matter.

"What does matter is that we, as legislators, have taken a solemn oath to support and defend the Constitution and the laws of the United States and of the State of Hawaii. And by that oath, by the highest principles of democratic government and by the mutual covenant of union embodied in the Admissions Act, we are bound, we are obligated to hold these lands as a public trust.

"This State and its people have agreed, as a compact with the United States, to be a trustee. We can no longer ignore that solemn duty just because at times it may be inconvenient or even if it is, at times, expensive.

"We pay a much higher cost of destroying our belief and standing as a society of law and righteousness--of

which we are justifiably proud and protective. In fact, we destroy the soul of our State if we trample on rights we have sworn to uphold.

"Some terrible things have been said and done over the past weeks on this extremely emotional issue. They have been hurtful to me personally and to this House. Many facts have been distorted, some have been ignored. There was no convenient forum in which to respond and, at any rate, the damage is done once the act occurs, so most of it cannot be undone anyway. Even now, when we have achieved a right-to-sue bill, or at least we are on the verge of it, I know better than to think that the bitterness will simply evaporate, anymore than we can unring a bell, anymore than Humpty Dumpty could be put back together; but I can use this one opportunity I have under the House rules, to speak on House Bill 37 to set the record straight, at least a little bit.

"First, I would like to thank the media for their fair and objective reporting over the past weeks. TV especially is a 'visual' medium and there are plenty of opportunities to get visual and colorful and inflammatory stories on the air or in the press over the past couple of weeks. There would have been if the reporters had not been as professional as they were. They took the time to get both sides of the issue. I think they did an excellent job and I want to thank them for it, both as a member of the Legislature, and as a member of the general public, because I think the public was well served by the extra effort that they made.

"We are a society that is a just society, that thinks of itself that way, and takes pride in doing the honorable thing. In theory there should be no need, when we are considering justice, to think of less lofty issues; ideally, there should be no room for mundane items like financial implications or the cost of correcting injustice. Fortunately, we are also a prosperous society, so we can often afford to reach out for the ideal and give less weight to the unpleasant considerations. And yet, in every noble effort we engage in at the Legislature, whether it be for education, affordable housing, job opportunities, social services for the elderly or the handicapped or the abused, we find that we must compromise somewhat on the ideal and balance the needs against the dollars available. Perhaps that is one of the reasons why politicians are held in such low esteem. We are the hated messengers of reality, who are always reminding our constituents of the bad news that our society is not perfect, that there is a price tag attached to justice and that when it comes to putting our money where our mouths are, we are human after all--which means that our ideal goals will not be fully realized. Yet we are still a just and honorable society, because we continue to strive to do the best that we can.

"And so it is with right-to-sue. No doubt all would agree in principle that government should pay compensation if it does something wrong. But, to the best of my knowledge, no federal government, no state, no county, no city, anywhere, allows itself to be sued without exception or restriction. No Hawaiian, no Haole, no Portuguese, no Japanese, no member of any race, has a free and unfettered right to attack the sovereign and bring government to its knees. Reasonable lines must be drawn or government will be paralyzed. That is not to say that we can tolerate injustice--we must not. But we must face reality also and temper justice with the knowledge that there are competing needs that also are deserving and worthy of accommodation. That is frustrating for those of us who are idealists, but it is a fact that cannot be ignored.

"It is easy to be bold and brash when you don't have to deliver the goods. For the past year, the Senate conferees were in that position. Knowing that the House would act responsibly, particularly on the issue of retroactivity, they did not need to consider the consequences of their position. Knowing there would be no retribution for misleading comments, they could say what they wished. But the old saying is that 'the proof is in the pudding.' And I would like to look at the issue of retroactivity as the perfect example of what I am referring to."

At this point, Representative Anderson yielded his ten minutes to Representative Levin.

Representative Levin thanked the Chair and continued:

"The Senate 'demanded' full retroactivity without having any responsible approach as to how to deal with the claims, telling the press and the public that this was something the Senate wanted for 'justice' while the House was refusing it out of the worst motives imaginable. However, when the House passed a bill to do a study of the back rent owed to Hawaiian Homes and with the support of the Finance Chair and leadership put up \$500,000 to pay for it so that we could start to responsibly deal with the problem, the Senators could not get the bill passed. And then when we suggested including the study in House Bill 37, the Senate conferees said 'no' because they could not get their key colleagues to go along."

"At any rate, all's well that ends well. And as it turns out, we do not duck the issue of retroactivity in this bill--we deal with it in a better way than going to court and fighting out each issue case by case with no one winning except the lawyers. But we got to this point only because the House resisted irresponsible demands which could have doomed this bill in either the Senate or the House. And the irony is that the activists probably wouldn't have minded--they would have wrapped themselves in the flag and claimed that, once again, justice was denied by the evil government, and they would again have had a perfect rallying cry around which to organize. Their argument may not be quite so persuasive now nor their rallying cry so inspirational when their major gripe is that the Statute of Limitation is 'only' three years instead of six."

"Secretary of State George Schultz was just talking about his Middle East peace plan and he said, 'The arrangements are not perfect, and everybody can find something wrong with them, but we're practical people trying to achieve important ends.' Just so, we in this House are practical people trying to achieve important ends, and I believe that we have succeeded."

"I would like to thank leadership and my fellow conferees, especially Representative Isbell and Representative Metcalf, because this conference that we just went through, more than most, was successful because of the active participation of all the conferees involved. I thank, too, my other colleagues who sat with me in the press conference that we had, like Representative Lee, Representative Kanoho, and the former Chair of the Hawaiian Affairs Committee--Representative Say. I would like to thank those who testified so long and so hard on this measure, who kept their faith in this system, and I would like to thank my staff who sometimes took more abuse than I did."

"We wanted the bill to be right, acceptable to the State as well as to the Hawaiian community. We wanted a bill that would work and be meaningful; not one that would fail because of unreasonable demands. I think we have achieved that."

"It remains to be seen whether House Bill 37 will serve to begin the healing process or whether a small group will continue to seek confrontation so they can use it for their organizational purposes. Those who are willing to take a step back and look at this bill objectively, I think, will like what they see, but I know darn well that politics and self-interest will play a bigger role than objectivity in determining how this bill will be portrayed to the general public."

"Passage of House Bill 37 will put a bill on the Governor's desk that is fair in striking a balance between those who were injured over the years and those who must bear the financial burdens caused by the actions of past bureaucrats and politicians."

"I urge my colleagues to please vote in support of justice and in support of House Bill 37."

"Thank you."

Representative Isbell rose to speak in favor of the bill, stating:

"Ano ai me ke aloha."

"E kala mai oukou ia'u no kou olelo Hawaii ana."

"Keia ka la e hoopaa mo'olelo wa kahiko kamahina o Apelila iwakalua kumamaono."

"Keia kou mana'o maluna o keia kumu hana ka mana e hoopii."

"Representative Levin oia no ka makuakane o keia pila kaki."

"Makemake au e maopopo ia okou i keia pila kaki."

"He nui ka hana e hookomo a'e i keia pila kaki."

"Ke aupuni o Hawaii, hooia'i'o a'e e lawe mai ka hauoli ame ka olioli nui ina lahui Hawaii."

"Mahalo a nui loa; a ke noi nei au ia oukou i keia mana koho a kokua a'e kako'o ana mai ia'u."

"In English, I would like to say to you:

"Greetings to all of you."

"Excuse me for speaking in the Hawaiian language."

"This is a historic day - April 26."

"These are my thoughts on this subject."

"Representative Levin is the father of this bill."

"I want you to understand this bill."

"There was much work put into this bill."

"The State of Hawaii acknowledges the need to bring happiness to the Hawaiian people."

"Thank you very much, and I ask for your vote."

Representative Metcalf rose to speak in favor of the bill, stating:

"At the outset, I would like to have Representative Levin's remarks on this matter inserted in the Journal as my own, but I would just like to offer this observation that if it weren't for the resiliency and the patience and

perseverance of the Chairman, there is no doubt in my mind that clearly we would not have had a bill this session. I think the Chairman deserves that recognition along with the rest of the House conferees on this measure.

"Thank you, Mr. Speaker."

Representative Kanohe rose to speak in favor of the bill, stating:

"I wish to commend Chairman Levin for his dedicated effort on this measure. His commitment to effect this bill and for his deep aloha for the Hawaiian people. As a Hawaiian, I can say that he truly is a Hawaiian at heart and I want all of my fellow Hawaiian brethren to believe that, and I would like to have his well spoken words inserted into the Journal as my own.

"Thank you."

The Chair, noting that there were no objections, "so ordered." (By reference only)

Representative Hagino rose to speak in favor of the bill, stating:

"Basically, I want to commend the conferees--Chairman Levin and Metcalf, and conferees Fukunaga, David Ige and Isbell--for the fine job they did.

"I did want to make one observation for the record.

"In 1986, when the University was faced with the loss of autonomy, Chairman Levin was chairman of the Higher Education Committee at that time. Through a very difficult period, he managed to steer the autonomy bill through the House and Senate and it was signed into law, thereby enabling the University to go on, I think, hopefully to greatness. As a former Chairman of Higher Education, I know how difficult that was and he was the man for the job in 1986.

"Last year, after nine years of effort, we finally got a water code. This was mandated by the Constitution. Many years of effort were taken to try to attempt a compromise on the water code. It finally passed last year, and lo and behold, the chairman was Chairman Levin.

"This year, it was native Hawaiian right to sue. Again, a most difficult bill and Chairman Levin again came through. All of us contributed, but I think his leadership for the last three years have been nothing short of superb, and I commend him for his efforts this year and for all the other years.

"Thank you."

Representative Hemmings rose to speak in favor of the bill, stating:

"Mr. Speaker, as a member of the Minority, I, too, would like to add my accolades to Representative Levin for this very fine piece of work that has pitted idealism against reality and come up with a workable compromise.

"Also, I would like to add my tremendous amount of gratitude and congratulations to the native Hawaiians who have steadfastly stood by their former nation--this State--for the grievances they had and worked their way tediously through the legislative process in contrast to what we saw Friday night. The native Hawaiians, too, have to be congratulated for their patience and endurance on this issue.

"And once again, congratulations to Representative Levin for ushering or stewarding this bill through the legislative process.

"Thank you, Mr. Speaker."

Representative Hayes rose and stated:

"I would just like to say that the House's loss next election will be the Senate's gain.

"Thank you."

Representative Lee rose to speak in favor of the bill, stating:

"This bill is another proof that we are a government of fair play and justice and care. I am proud to vote for this bill.

"I would like to point out that the key to the bill is the principle to restore the trust; that is the beneficiaries--all the beneficiaries of the trust and not simply the individuals who sue will benefit.

"And above all, I would like to pay tribute to the Chairman who has proved by his integrity and steadfastness that what really counts in the end is the act or the deed or the achievement itself. He has proved again that he is a friend of the Hawaiians and of the common people. I am proud to be a colleague of his for he is the type of colleague which makes this House the responsible, responsive and deliberative body that it is, so I wish to thank him for his achievement."

Representative Peters rose to speak in favor of the bill, stating:

"Obviously I am not rising to interpret what Representative Isbell had to share with us. I think she did a very good job there. But I would like to also, in favor of this measure, add the accolades to Representative Levin and everyone else who was involved with this.

"As you know, I have often said on this floor that we don't have the luxury of looking at problems purely from one perspective if we represent all the people of Hawaii. And certainly, in addition to that or concomitant with that, it goes along with the fiduciary responsibility that we do have as trustee in behalf of all people.

"The native Hawaiians, as you well know, suffered for too long. This state comes by way of an illegal act that was initiated many years ago by the United States by way of overthrowing the monarchy of this great nation of ours that we call the Hawaiian nation. Granted, I could go into a lot of details, but we also have to live in society as it is. We, as Hawaiians, accept that challenge. We have made some inroads. It comes by way of actions like Representative Levin and others.

"I appreciate his perseverance, I appreciate his ability to rise above, if you will, of name-calling, the unreasonableness that seemed to have gone his way. I hope that in this particular case, all of us would vote 'aye.'

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 37, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN AND HAWAIIAN INDIVIDUALS AND

ORGANIZATIONS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 37 had passed Final Reading at 3:35 o'clock p.m.

Conf. Com. Rep. No. 129-88 on S.B. No. 2298, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred one day.

At 3:36 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:10 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering action previously taken on House Bill 3404, HD 1, SD 2.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in passing House Bill 3404, HD 1, SD 2, on Final Reading, seconded by Representative Anderson and carried.

Representative Apo moved that House Bill 3404, HD 1, SD 2, pass Final Reading, seconded by Representative Anderson and carried, and House Bill 3404, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR STATE SERVICE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 3404 had passed Final Reading at 4:12 o'clock p.m.

At this time, Representative Isbell was granted permission to make a late introduction and she introduced the members of the State of Hawaii Student Council.

UNFINISHED BUSINESS

S.B. No. 2765:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2765, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 3172:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION AND TELECOMMUNICATIONS FRAUD," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2029, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2029, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SURETY BONDS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2765, 3172 and 2029 had passed Third Reading at 4:13 o'clock p.m.

At 4:14 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:17 o'clock p.m.

S.B. No. 3200, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 3200, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE DEFENSE FORCE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2030:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2030, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2718:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2718, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR VOTING," having been read throughout, passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Anderson, Liu and O'Kieffe voting no, and Representative Jones being excused.

S.B. No. 2172, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2172, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAULA," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2060:

On motion by Representative Metcalf, seconded by Representative Hagino and carried, S.B. No. 2060, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL," was recommitted to the Committee on Judiciary.

S.B. No. 2031:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2031, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2563:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PORNOGRAPHY FOR MINORS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2521, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2521, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENSES FOR EXTRADITION AND RETURN," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 3200, 2030, 2718, 2172, 2060, 2031, 2563 and 2521 had passed Third Reading at 4:19 o'clock p.m.

S.B. No. 2517:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2517, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2761:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2761, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE DATA INTERAGENCY BOARD," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2760:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2760, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2186, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2186, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2713, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2713, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2926, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2926, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL PROCEDURE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2578, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2578, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL CODE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2575:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2517, 2761, 2760, 2186, 2713, 2926, 2578 and 2575 had passed Third Reading at 4:20 o'clock p.m.

S.B. No. 2032, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2032, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2712:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2712, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2070, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2070, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

S.B. No. 2980, SD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, S.B. No. 2980, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

Stand. Com. Rep. No. 1610-88 on S.B. No. 2052:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Anderson, Liu and Marumoto voting no, and Representative Jones being excused.

Stand. Com. Rep. No. 1611-88 on S.B. No. 2044:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2044, entitled: "A BILL FOR AN ACT RELATING TO CALABASH COUSINS OF HAWAII," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

Stand. Com. Rep. No. 1612-88 on S.B. No. 2050:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 2032, 2712, 2070, 2980, 2052, 2044 and 2050 had passed Third Reading at 4:21 o'clock p.m.

At 4:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:50 o'clock p.m.

**DISPOSITION OF MATTERS
PLACED ON CLERK'S DESK**

By unanimous consent, H.B. No. 461, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 461, and H.B. No. 461, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 461 had passed Final Reading at 4:50 o'clock p.m.

By unanimous consent, H.B. No. 839, HD 1, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 839, HD 1, and H.B. No. 839, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, I know that the Constitution mandates that when there is a surplus that we do have to pass a measure appropriating some moneys back to the public. Too many times we have done so out of mere requirement without giving serious consideration to what the capacity of the State is in regard to actually helping the people of Hawaii.

"In my opening day speech, Mr. Speaker, I asked that we take a close look at what the ramifications would be if we gave back to every taxpayer in this State a reasonable tax rebate--something significant. I would not be voting 'no' on this measure today if I felt that serious

consideration had actually been given, even if the final result was as we have here today--one dollar. But too soon in the legislative process, in both the Senate Ways and Means Committee and in the House Finance Committee, was the idea, the concept of a significant rebate to every resident taxpayer dismissed with a short shrift. It was felt that all the moneys of the surplus could be spent, and it is, for the so-called 'future of Hawaii. Well, we've heard a lot of nice words on the budget and other programs which we all hope will help the people.

"But the question also arises as to what are we doing to peoples' expectations?

"We saw the problems in the country with raised expectations through the 60s and 70s, and then we found out we couldn't pay to continue those expectations. And we pulled the rug under a lot of people because we had to, and it was painful, and it was unfortunate.

"I have real doubts although I voted for a lot of the measures today that we are doing anything different in a lot of measures that we passed earlier.

"And so, on this measure where we give one dollar to every resident taxpayer, four dollars to a family of four, I think we are really making a mockery of what our true responsibilities are in at least looking very seriously at what we should be doing when there is a very sizable surplus. In this case in this year, the largest surplus in Hawaii's history. Perhaps the largest surplus we will ever have in Hawaii's history.

"I hope the people in Hawaii remember this. I hope you, my colleagues, consider for the future that should we have a surplus in some future time that we will really look at what the benefits might be of giving a significant rebate back to the taxpayers of Hawaii. What \$800, what \$1000, what \$1200, what \$1400, what \$1600 to a family of four might do, not only for that family individually, but to the economy as a whole.

"Mr. Speaker, for that reason, I vote no on this measure and I hope that one day control of this House will switch parties.

"Thank you."

Representative Lee rose to speak in favor of the bill, stating:

"I think it is very important to look at this bill in connection with the State budget. The State budget was in effect the decision on what to do with the surplus. And so careful consideration was given, and in this respect, let me say I have been many years out of the State of Hawaii and I have compared other systems elsewhere, not only in the various different states on the mainland, but also in different countries. What has struck me of how special this place is that it has readily accepted the need to invest in the future and I view this as a special characteristic of our society, a society that has cared for its own members in investing in a house, two people working to pay for it, investing in education for its young children, investing for economic development. These are the characteristics which makes it easier for elective Representatives not to take the easy step of giving the money back, money that will easily be consumed by the individual family, but instead to invest in a very wide-ranging and very innovative measures.

"Let me again stress the money is going to be spent and invested in education, in housing, economic development, in jobs--all those things which make life worth living for.

"And for this reason, I think we are to keep in mind how special and how interesting Hawaii is that we take responsible decisions of this nature, and for this reason I would like to add it to the record.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 839, HD 1, and H.B. No. 839, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Hemmings and Liu voting no, and Representative Jones being excused.

By unanimous consent, H.B. No. 2050, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2050, HD 1, and H.B. No. 2050, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY REVOLVING FUND," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 839 and 2050 had passed Final Reading at 4:56 o'clock p.m.

By unanimous consent, H.B. No. 2092, HD 2, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2092, HD 2, and H.B. No. 2092, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO JURORS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

By unanimous consent, H.B. No. 2179, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2179, HD 2, and H.B. No. 2179, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NORI RESEARCH," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 2092 and 2179 had passed Final Reading at 4:57 o'clock p.m.

By unanimous consent, H.B. No. 2253, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2253, HD 1, and H.B. No. 2253, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL VANDALISM," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

By unanimous consent, H.B. No. 2330, HD 2, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2330, HD 2, and H.B. No. 2330, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 2253 and 2330 had passed Final Reading at 4:58 o'clock p.m.

By unanimous consent, H.B. No. 2591, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2591, HD 2, and H.B. No. 2591, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO DEVELOP AND IMPLEMENT ENVIRONMENTAL EDUCATION PROGRAMS," having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Anderson, Hemmings, Liu and Ribellia voting no, and Representative Jones being excused.

By unanimous consent, H.B. No. 2638, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2638, and H.B. No. 2638, SD 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ARRIVAL OF OKINAWANS TO HAWAII," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 2591 and 2638 had passed Final Reading at 4:59 o'clock p.m.

By unanimous consent, H.B. No. 2688, HD 1, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 2688, HD 1, and H.B. No. 2688, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Tam then rose to speak in favor of the bill, stating:

"This bill we are proposing is that we pose the question to the voters at the General Election this November whether there shall be one public high school student selected by a Hawaii State Student Council to serve as a non-voting member on the Board of Education. This non-voting student member on the Board of Education would be able to participate in discussion purposes.

"The Council was established by the Board of Education in 1972 to provide for official representation of public school students for which we fund today in the State government \$92,000 a year. However, the student representative has not been a member of the Board and does not participate in discussions nor receive compensation. Over the past 16 years, the Student Council representatives have proven their dedication, intelligence, and responsibility in contributing to the work of the Board.

"There is a question up in the air in regards how would the Board of Education benefit from having a student on the Board. The answers are as follows:

1. The Board will have the advantage of having first-hand information about what students are experiencing.
2. Students will feel that they are actively involved in the process and discussion.
3. Students will be forced to take on more responsibility for their actions.
4. The Board of Education and the Department of Education will have advanced their repeated support for student involvement in educational decision-making.

"The Parent/Teacher/Student Association, otherwise known as PTSA, and the Concerned Women for America also testified in favor of this bill.

"Some of my colleagues have asked me why should we pay the students to be members of the Board. I believe that everyone should be compensated for their labor on the basis of equality. Students study the issues, attend long meetings, communicate with their peers and as a result, spend a lot of time in service to the Board.

"As you might expect, the students who participate in student elections are selected by their peers to represent them at Board meetings are our most outstanding students, hard workers who approach their duties with enthusiasm and responsibility.

"Those of us who heard the testimony of the students respectively in the House of Representatives and the Senate, support of this bill were deeply impressed by the serious and thoughtful support. I am confident that if any of them had been selected to serve on the Board of Education, the students could have made a very positive contribution to the deliberations of that body. Other states have gone even further than this bill proposes and established voting students members in the Boards of Education. Mr. Francis Lattenburgh, the President of the California State Board of Education has said that student members have contributed unique insight to Board sessions, have come to meetings well prepared and at times have been helpful in resolving issues before the Board. I firmly believe that our students in the State of Hawaii have just as much to contribute as their California counterparts.

"As I had said before, public education is ultimately dedicated to the benefit of our students but when it comes to making important decisions about education, some of us act as if students should be seen but not heard. We encourage our young ones to participate in government and we spend a great deal of time teaching them the principles of a democratic government. But then when we shut them out from participating in the decision-making process, in this particular case being involved in discussion purposes of the Board of Education, a government institution which has a profound effect on their lives and their future.

"Article I, Section 1 of our State Constitution states, 'All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people.'

"This bill is submitted to you in the belief that our high school students are people and deserve a voice on the Board of Education. The best of our high school students

are ready to assume this responsibility. They possess the maturity and the judgment and intelligence to make a positive contribution to the Board.

"I ask my colleagues to express their trust in our public high school students and to give the voters of our State the opportunity to vote on this question this November.

"Thank you."

Representative O'Kieffe rose to speak in favor of the bill, stating:

"I first want to compliment the members of the State Student Council who came to lobby us and what a fine job they did. If I were a legislator thirty years ago, I would not favor such a bill. You know why? The most serious decision a student can make then was whether or not to go to the Prom and whom to take. Now, thirty years later, I think that all of us can agree that the level of sophistication of our young people is so much greater. During the last thirty years, students have lived through civil rights, hippies, Vietnam, the drug culture and counterculture, Watergate, oil embargoes, space exploration, hi-jackings, Olympic murders, AIDS, yuppies, and the threat of nuclear annihilation.

"This bill provides for a non-voting student representative on the School Board. The Board, the Department of Education, and the Legislature have often expressed their desire for student input and involvement on decisions about what happens in their schools. Well, now here's our chance to back our words with action.

"There are several reasons why we should pass this bill:

1. A non-voting student member would provide the Board with first-hand information on the situation in the schools, the students' concerns, perspective, needs, desires, and wishes.

2. Such a representative would, in effect, give all students a direct voice in resolving problems and a say in the direction of their education. This undoubtedly would boost the morale of the whole student body by proving to them that we adults are willing to pay more than lip service to the comments about wanting students to become more involved and productive citizens.

"Another plus is the practical experience students would gain in the problem-solving under the democratic process of elected representation.

"The advantage of this bill is that a student will be allowed to sit at the table, ask questions, give information, participate in discussions. Isn't this so much more productive than being unable to speak unless spoken to as is the present case?

"Republicans have always stood for protecting the rights of individuals and home rule. In a sense, this bill only underlines the same principle, giving students a say on their own School Boards and helping to shape their own destinies. I've long been committed to smaller schools and local control to make quality education more accessible to our rural communities and the neighbor islands.

"This bill provides for a student representative on the Board who can actively help ensure this policy. These are no longer the days when children are to be seen and not heard. My experience in rearing my own children has made this definitely clear. An open student voice in the Board of Education reflects our vote of confidence in them

as being and becoming responsible and contributing members of our society.

"I urge you all, fellow Representatives, to join with me in supporting this bill.

"Thank you, Mr. Speaker."

Representative Crozier rose to speak against the bill, stating:

"Mr. Speaker, first of all I would like to comment that last year, we celebrated the bicentennial of our U.S. Constitution. This year, we celebrate the 10th anniversary of our State Constitution. Many of us serving in this body right now served as delegates to the Constitution.

"I am speaking against this measure, not because I'm against students. . . students want to get on the Board, I am sure there's ways to get on. I'm speaking against this measure because I want to protect the integrity of our State Constitution. Every year, I recite a little verse that I have in my inner door. I haven't done it this year. I guess it's an appropriate time to mention that quote. It's taken from Chief Justice Louis Brandeis. I think it was said in 1928, and I got this saying from over a door in Washington, D.C., through the halls of Congress, and it goes: 'The greatest danger to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding.'

"Mr. Speaker, this is a good example of well intended individuals trying to champion a cause, understanding the ramification, and let me break it down and try to explain why.

"Our Constitution is our primary document. From there, everything else comes. The Constitution talks of basically the powers of the people, the powers of the people that they transfer to the Governor through an election, the powers of the people that they transfer to the Legislature through an election, the powers of the people that they transfer to the Board of Education through an election, the powers of the people that they transfer through the Office of Hawaiian Affairs through an election. Only other time they talk about transferring powers not directly from the people is in the Judicial Selection Commission. There, through the Supreme Court, the Supreme Court asked two members of the Bar Association to have an election but they don't only ask them--they run the election. All the way through this document, all powers can be directly related back to the people.

"My problem with this bill is that we are putting a group in the document that cannot be tied back to the people. It is the Hawaii State Student Council. Maybe bright young individuals--future leaders. They are not tied back into the people. Anytime we put any kind of language in here, it should be coming from the powers of the people; it should not be coming from the side group.

"Mr. Speaker, our Constitution is considered one of the finest documents...State Constitutions in the United States, not because we are the most enlightened of states--it's because we were the last to form ours. States like Louisiana and Arkansas are riddled with countless and countless, pages and pages of language--do this, do that, do this, do that--they get so precise. Their Constitution creates a lot of problems for their government. Our document is quite the opposite. Everything is streamlined back to the people. To allow this type of language to get in here will still be constitutional but it will take away from the integrity of that document. The proper way to

have done it was to say they should be a non-voting student member on the Board of Education provided by law. I am sure every one of you read our State Constitution many times and you see that phrase over and over and over again--as provided by law. The intent of that is to say the people want a student in there but we will let the Legislature decide how that is formulated. Again, we are tying the people back to the Legislature, then to that young student. This way, we are elevating the Hawaii State Student Council equal to the other groups that I had mentioned.

"Ladies and gentlemen, I hope you folks take a moment and reflect what we are doing. Again, I am not against the youngsters. I am against putting this kind of language in our most important document. I would ask you to re-evaluate your positions, think about it, and support me, and vote no on this bill.

"Thank you very much."

Representative Kotani rose to speak in favor of the bill, stating:

"Firstly, in reply to Representative Crozier's remarks that the Constitution should be based on the will of the people, I believe that students are people.

"Secondly, if the Constitution should express the will of the people, then why not let the people decide what should be stated in the Constitution?

"Thirdly, I have a few remarks to add.

"This session, we have said a great deal about the future of Hawaii and the 21st century. When the year 2001 arrives, today's high school students will be entering their thirties and preparing to assume the mantle of leadership in our society. Some question whether the next generation will be able to meet the challenges of the future but I think it is not so clear that the blame for this lack of confidence does not lie on our own shoulders. We complain that young people lack a sense of responsibility, yet we fail to make them responsible for the decisions affecting their own lives.

"We complain that local youth lack aggressiveness, a risk-taking attitude and entrepreneurial spirit, yet we fail to allow them to make their own mistakes.

"We complain that 18 year olds do not exercise the right to vote, yet we fail to train high school students for active participation in a democratic society.

"During my senior year, we organized the student rights movement at Roosevelt High School. We passed resolutions, gathered signatures on petitions, and even mobilized the sit-in at the Principal's Office. We were fortunate that there were educational leaders who might not have agreed that what we were saying were even the exact way we were doing things, but agreed with our right to be heard. And because Principal Francis Buddy Oliviera and District Superintendent Albert Miyasato took a chance on students, that entire year became a tremendous learning experience for us in the political process. At that time, I promised myself that I would never become like those other adults who lacked faith in our young people.

"Isn't it time for us to stop complaining about today's young people and to give the next generation a chance to be heard?

"Today, we have a chance to allow Hawaii's people to show our faith in youth in our future by establishing a

student member of the Board of Education. Let's take that chance.

"Thank you, Mr. Speaker."

Representative Metcalf rose and stated:

"Mr. Speaker, I have been asked to give a speech in support of this measure but I think having heard the eloquence of Representative O'Kieffe, Representative Tam and Representative Kotani, I would ask that their remarks be inserted in the Journal as my own, and just add to that that from the perspective of being the Chairman of the Judiciary Committee, I don't share the same constitutional concerns articulated by Representative Crozier.

"Thank you."

Representative Hagino rose to speak in favor of the bill, stating:

"I think it was about twenty years ago today when, together with a few students, we were planning to go on a long march to Bachman Hall and it really was twenty years ago today. At that time, I didn't think I trusted anyone over thirty. I'm over thirty, I feel it will be hypercritical for me not to trust those under thirty, and it is with this in mind that I think that this bill is an opportunity for all of us to express our faith in young people and to give them this opportunity. We also have an opportunity to express our faith in the people of Hawaii when they vote on this constitutional amendment.

"Again, like the Chairman of Judiciary, Chairman Metcalf, I would like the Journal to reflect that the remarks of Representatives Kotani, O'Kieffe and Tam be reflected as my own.

"Thank you."

Representative Say then rose and asked whether or not the Chairman of the Education Committee would yield to a question to which Representative Tam replied in the affirmative.

Representative Say asked:

"Would it be possible for private high school students who are active in their student government to be also involved in this particular council?"

Representative Tam responded:

"I believe the Hawaii State Student Council does invite the students from the private schools to get involved."

Representative Say asked:

"And would they be able to qualify as being selected to the Board? Primarily because of what Representative Crozier have stated that this is for the people of the State of Hawaii and my concern is that there is a silent minority out there that may never have that opportunity of voicing their concerns about public education, Mr. Speaker.

"The concern is that if there are a lot of students that are leaving the public schools for private schools, maybe this will be one way of attracting these students to come back to the public schools because they will be involved in the discussions and participation with the Board members, and I think this is one area we should be looking into, Mr. Speaker.

"I would like to now speak in opposition to this measure and I would like to have Representative Crozier's remarks inserted in the Journal as though they were mine. (By reference only)

"I understand that the Hawaii State Student Council was formed by the Board of Education for all you here this afternoon. What we are doing by adopting this constitutional amendment is recognizing the Hawaii State Student Council on par with the Board of Education.

"My concern is that for the future of the State of Hawaii, I personally hope we don't have these types of constitutional amendments before us every year in the future. We have a lot of different councils, we have a lot of different commissions. We have the ASUH that may be coming in next year and the concern is, are we going to clutter our State Constitution for what it is?

"Mr. Speaker, I am not against student participation. I am not against student involvement. This would have been a very clean measure if the Hawaii State Student Council was recognized in the Committee Report as the body to select that particular individual. But now to have it on a constitutional amendment on the ballot, you know I am just afraid of what may happen.

"For those of you, or for my colleagues, it is very easy to vote for a measure like this because you are going to say, 'yeah, we supported student involvement,' but to take a very hard, practical and realistic stand, maybe we should have it deferred one year and work it through the committee report by bracketing out that the Hawaii State Student Council shall select a public high school student to serve as a non-voting member. That could be addressed in a committee report as I reiterated earlier and that is the concern I have, Mr. Speaker.

"The other concern is for that silent minority of students, a great deal of students, that will not be recognized and they should have some input into the Board of Education budget because their parents, as well as I, are paying the taxes. That is the concern, Mr. Speaker, and thank you very much."

Representative Anderson rose to speak in favor of the bill, stating:

"Mr. Speaker, very truthfully, I don't think when I went to school that I was ready for something like this. I think when my daughter went to school, I still wasn't ready for something like this. I think she may have been but I don't think I would have voted in favor of it. And yet these young people--I've listened to their concerns and they changed my mind. I think that they're dedicated, I think that they are looking at what's happening today, and I think they want to express themselves, and I think they want us to listen. They want the Board to listen.

"I asked them some of the questions that was important to me as far as some of our old values and they said very honestly, 'Representative Anderson, we, too, are elected by our constituents. We are not going to be radical enough just to go up there and say, this is my belief and my ideas.' And I think that's great and I think the young people of today should give us the message on how they feel, why they feel that way and we should all listen before we vote, and they are going to be our future voters, and they are going to be our future legislators and business people. And for that reason, I am voting aye and I wish that all of you would consider voting aye.

"Thank you."

Representative Tajiri rose to speak against the bill, stating:

"This is the first time I am standing to speak on any matter before this House. But I feel, as a parent, as a former teacher, that I believe we are making a mistake here.

"The measure before us is not so much whether students serve on the Board of Education or not because certainly as Representative Crozier has stated, there are other means by which we can have students having input on the Board of Education.

"The question is, how high do we elevate an entity like the Student Council Association of the State--where do we put them?

"The Constitution does not even create the counties. The counties are the creatures of this Legislature. To put a student organization or any other kind of similar organization in the Constitution, I think is a slap in the face of the counties.

"I believe a lot of thought has gone into the Constitution as was prepared. Some of you sit here that has sat on the Con Con and I know you spent a lot of time deliberating that and I believe that we have a good Constitution.

"Perhaps after we pass this measure, next year, the HSTA will be before us. And then the year after that, we are going to have the PTSA before us. We are going to have all kinds of people asking to serve on all the other boards.

"My belief is that we can still remedy the problem. I don't have any problems with having students participating in the discussions that affect their lives but I think that we can address that problem in a little bit different manner, in a manner that doesn't put itself and elevate a student association above counties.

"I think we should be making prudent decisions here. When we make decisions, it shouldn't be what makes us look good. When we took the oath of office, we took the oath of office to make hard decisions for the good of the people. Within the system, I don't believe that a decision to adopt this measure however good it seems on the surface, however popular it might be, is the right decision. Some of us who were going down on this will not be looked upon favorably perhaps by some of the students, but we were all students at one time. The argument the students are prepared, I don't believe really holds water. As a student, I led a number of uprisings myself. That, in itself, doesn't make for better government. Our previous speaker has said that the students today have gone through a number of activities or changes in the world, but those students are no longer in school. They're you--you're sitting over here.

"I ask that you consider this, not as a means of letting students sit on the School Board. I ask that you consider this measure for what it is--a change in the Constitution.

"Thank you, Mr. Speaker."

Representative Ribellia rose to speak in favor of the bill, stating:

"I fully appreciate the remarks of the previous speaker and I believe that it is of importance and I think those issues will come to bear assuming the measure is passed and the general public has a chance to vote on it. I think

those are some of the issues that will be considered as they address the constitutional amendment in question.

"I do believe, however, that as some of the other speakers have pointed out, we must have greater faith in our young because they, someday, will be asked to do the same for their young, and I, for one, have a lot of faith if the students who came before us, and I am sure they are, representative of our public school students. So, with that, I would like to urge everyone to vote in favor.

"Thank you."

Representative Cavasso rose to speak in favor of the bill, stating:

"Mr. Speaker, nineteen years ago, while a student at Kailua High School, I was involved in choosing at that time of what I believe was the first ex-officio student member of the Board of Education and that year, the students participated and offered much to the Board of Education. I understand that in the intervening nineteen years that sometimes the ex-officio members have been active and other times not, and I believe that the input we can get from the consumers of our educational system is students is helpful to the Board of Education. Making that an official position will encourage active participation every single year rather than on an infrequent basis as the particular students are more interested or not. We can use and be helped by this input. In fact, I would say that we should even go further in seeking the input of our consumers, we should maybe next year come back here and suggest that students be involved in rating the teachers that are teaching them that their input can be helpful in rating those outstanding teachers and the poor teachers. But I think we are wise in not allowing it to be a voting member. It is inappropriate for a student to be actually making that decision on their teachers, their administrators, and what happens in the schools.

"I think this is a good action. I think it will be helpful for our State and our educational system; therefore, I support it.

"Thank you, Mr. Speaker."

At 5:30 o'clock p.m., Representative Medeiros asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:33 o'clock p.m.

Representative Kanoho rose to speak against the bill, stating:

"After much deliberation and with much reluctance, Mr. Speaker, that I have taken this position because I agree wholeheartedly with the proponents of this measure that a student should indeed sit on the Board of Education. And I would also like to commend them for lobbying and I, too, was very impressed.

"However, I take this position only to protect the integrity and the sanctity of the Constitution.

"Thank you."

Representative Bellinger rose to speak against the bill, stating:

"Mr. Speaker, I think we are sort of missing the whole boat on what the issue really is. It's not that we're not interested in what the students have to say. I think we all recognize that the members of the Student Board of

Education who've come around and who've lobbied us are a very impressive group of young men and women who do have a lot to add to the review of the Board of Education.

"I think what the real issue is is whether or not, via a constitutional amendment, we should be dictating something along this line. It is my understanding that the Board of Education currently has the authority to recognize the students and to allow them to participate in committees, that they have the authority to say, you may actively discuss things out of the realm of their normal course of business and that what's happened is that the Board has refused to exercise that power. So, by this measure, what we're saying is although the Board has the authority and refusing to act, we are going to turn around and say, fine, well, we're just going around another direction and we're going to modify the Constitution. Well, I just don't think this is the way to do it. I think it will be far more appropriate for the Legislature to pass a resolution expressing legislative intent of the Board of Education, saying that it is the intent of the Legislature that the Board permit the students to actively participate rather than for us to go around and to start to take it with the Constitution.

"The other concern is if we start going in and making adjustments along this line, how many other avenues and other issues and things are we going to open up for the same types of adjustments.

"So, for those reasons, Mr. Speaker, I am going to vote against this measure."

Representative Marumoto rose to speak against the measure, stating:

"On two points, I question the validity of this measure although I value the input from students, and we have very many bright students in our midst. I really do not like to see a constitutional question put on the ballot if only for a non-voting member of the Board of Education.

"Secondly, I did pose this question to the many voters in the 23rd House District, asking whether they would favor a student on the Board of Education. The answer came back 72 percent against. Therefore, I think I will follow the dictates of my district and vote against this measure.

"Thank you very much."

Representative Alcon rose and stated:

"Mr. Speaker, it hurts me to vote against this bill because of the fact that I spent thirty years of my life as a teacher. I had fought for students all through the thirty years that I have taught but this bill, Mr. Speaker, seems to be very defective.

"If we are going to place this bill before the voters, why don't we go all the way through and let the student member of the Board of Education become a voting member.

"As it is right now, Mr. Speaker, we are going half way. We always say, Mr. Speaker, previous speakers have said, let the voters decide. Then let us decide whether they want a voting member or non-voting member and because of the fact that I feel that this bill is defective, I am voting against it.

"Thank you very much."

Representative Anderson, in rebuttal, stated:

"Mr. Speaker, when everybody is speaking about taxpayers and what's right for the Constitution and what's not right, and as far as how some of their constituents may or may not feel, you're putting it on the ballot and as a taxpayer, I think that's only fair. At one time, when we received what I thought an unjust raise because it should have been more, and because I think we have a defective bill because of the way it was written, I, at that time, said let's put it on the ballot, and I would have trusted the taxpayers of this State a lot better than I did the bill that we passed, and I still feel is one of the louisiest bills and I voted against it but I never did like the way it was written, it was never really challenged. I think if there's a defect, we can challenge it. But I send my grandson to a private school. My daughter went to a public school. That's my right as a taxpayer, but I think that when you put it on the ballot, you give everybody an opportunity to find out if they want their child in the public school system to either be a non-voting member or not. And if I feel that I should have that same right because my child does not go to a public school, I think that that's my right.

"I have been sitting here only saying that I would now vote that way to give everyone a chance. I don't think I would have given a student that benefit when I was younger. As I said, I didn't even give that to my daughter because I was young and not ready. With my grandchild, I have learned to respect him, I have listened to him, and I have become more mature, and I would like a chance to at least have that on the ballot, in giving me that opportunity to vote yes or no. That's the only way that's fair, I feel, for the taxpayers of this State.

"Thank you very much, Mr. Speaker."

Representative M. Ige rose to speak against the bill, stating:

"Mr. Speaker, if you're one of Representative Anderson's friends, the five of us in his office at about 5:00 o'clock, you, too, would agree that maybe Representative Anderson listens to his grandson a little too much. His grandson calls him at every moment and requests this and that, and I am sure that the love there is quite important to Representative Anderson.

"Mr. Speaker, I, too, have some grave reservations about including the Hawaii State Student Council as a part of our Constitution. I support the idea wholeheartedly that we should give enough flexibility in the Constitution to allow the Legislature to determine who should sit on that Board.

"You know, Mr. Speaker, the other day, my daughter came home. She is thirteen. Actually my wife told me that my daughter is going to be running for the Student Council as their treasurer. Immediately, you know, I kind of jumped up and was wondering whether she needed help making signs and T-shirts and raising money for the campaign. There is a sense of pride there, Mr. Speaker, and I feel that trying to be involved with her in the seventh and eighth grades, that serving on the Board and having your say is probably the greatest thing any high school student can make--any decision, any input that they can make is probably the greatest thing that you can ever ask for but to include the words, the 'Hawaii Student Council' within our most sacred document of our land is something that I have some grave concerns about, and for that reason, I would like to send the message very clearly that I, too, do not support this measure; however, if it does not pass or if it does not get the necessary two-thirds vote, it does need to come before this body next year and let me promise the members here that I will introduce a

bill to get the students, not only to be recognized within the Constitution to be able to be a member of the Board, but also to have a decision and a right to vote.

"Thank you."

Representative Marumoto then rose and requested a roll call vote on this measure.

Roll call having been requested, the motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2688, HD 1, and H.B. No. 2688, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 39 ayes to 10 noes, with Representatives Alcon, Bellinger, Crozier, Hashimoto, M. Ige, Kanoho, Marumoto, Say, Tajiri and Yoshimura voting no, and Representatives Jones and Peters being excused.

By unanimous consent, H.B. No. 2797, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2797, HD 1, and H.B. No. 2797, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 2688 and 2797 had passed Final Reading at 5:45 o'clock p.m.

By unanimous consent, H.B. No. 2851, HD 3, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2851, HD 3, and H.B. No. 2851, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

By unanimous consent, H.B. No. 3041, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3041, and H.B. No. 3041, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 2851 and 3041 had passed Final Reading at 5:46 o'clock p.m.

By unanimous consent, H.B. No. 3414, HD 2, SD 2, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3414, HD 2, and H.B. No. 3414, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SECRETARIAL COMPENSATION PLANS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 3414 had passed Final Reading at 5:47 o'clock p.m.

By unanimous consent, H.B. No. 3416, HD 2, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 3416, HD 2, and H.B. No. 3416, HD 2, SD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Hemmings then rose and stated:

"I would like to speak in favor of this bill, with reservations, and have my comments inserted in the Journal."

The Chair, noting that there were no objections, "so ordered."

Representative Hemmings' remarks are as follows:

"I believe it is in everybody's best interests to sustain Hamakua Sugar and economic opportunity, but giving a \$10-million taxpayer loan is only sustaining the problems that plague the sugar industry.

"The positive alternative to this loan is the implementation of an Employee Stock Ownership Program (ESOP). We must depart from business as usual and look to bold and new initiatives to foster economic prosperity.

"Just this past weekend, Parade Magazine, in the Honolulu Advertiser and Star-Bulletin Sunday newspaper, had a very heartwarming and enlightening story about the takeover of a steel company by its workers. It has been a huge success.

"To quote from the Parade article, one of America's most famous entrepreneurs, H. Ross Perot, said, 'In September 1983, the men and women who worked at Weirton Steel decided to buy the plant. Since then, they have proved that American workers still can be first and best in the world. They are working together as a team. The new company is thriving! Weirton Steel is an example of how our nation can succeed--if we:

- * eliminate the adversarial relationship between management and labor;
- * form a united team;
- * make a total commitment to be the best in the industry;
- * listen to the customer and the people who do the work;
- * then, take on all competitors and beat them in fair, open competition.'

"H. Ross Perot is right. America's competitive edge in the future, and most especially Hawaii's role in the Pacific, could be greatly enhanced by ESOP's. Hamakua Sugar should be taken over, in part, by the workers and labor unions so that they may work in concert with management to ensure its future success. This is a very positive alternative to taxpayers' loans to failing companies."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3416, HD 2, and H.B. No. 3416, HD 2, SD

1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Hashimoto and Yoshimura voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 3416 had passed Final Reading at 5:48 o'clock p.m.

At 5:49 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:50 o'clock p.m.

By unanimous consent, H.B. No. 3515, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3515, and H.B. No. 3515, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

By unanimous consent, H.B. No. 3521, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3521, and H.B. No. 3521, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 3515 and 3521 had passed Final Reading at 5:50 o'clock p.m.

By unanimous consent, H.B. No. 3523, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3523, and H.B. No. 3523, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX REFUNDS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

By unanimous consent, H.B. No. 3533, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3533, and H.B. No. 3533, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PETTY CASH FUNDS," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Anderson voting no, and Representative Jones being excused.

The Chair directed the Clerk to note that H.B. Nos. 3523 and 3533 had passed Final Reading at 5:51 o'clock p.m.

By unanimous consent, H.B. No. 3567, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3567, and H.B. No. 3567, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE TORT LIABILITY ACT," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Jones being excused.

The Chair directed the Clerk to note that H.B. No. 3567 had passed Final Reading at 5:52 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1613-88) recommending that S.C.R. No. 238 be adopted.

By unanimous consent, action was deferred one day.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1614-88) recommending that H.R. No. 323, as amended in HD 1, be adopted.

By unanimous consent, action was deferred one day.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1615-88) recommending that S.C.R. No. 179, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.C.R. No. 179, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE RETENTION OF VIEW AND OPEN SPACE MAKAI OF KAWAIHAE MAHUKONA, HAWAII ROAD FROM KAWAIHAU TO UPOLU POINT, HAWAII," was adopted.

Representatives Levin and Crozier, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1616-88) recommending that H.R. No. 432, as amended in HD 1, be adopted.

By unanimous consent, action was deferred one day.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1617-88) recommending that S.C.R. No. 157, as amended in HD 1, be adopted.

Representative Liu rose and stated:

"Mr. Speaker, I will be voting no on this resolution and any other resolutions that we will be taking up this afternoon on Supplemental 2 or 3. I would like to express my opposition to them primarily because I think it is a shame that we have them all backed up this way. There are some very important substantive resolutions and it's a real shame that we have to do this in such a rush fashion. Whether it's the Senate's fault or our fault, it's a real problem so symbolic perhaps as it may be, I would like the Clerk to please record those votes.

"Thank you."

Representative Anderson then rose and stated:

"Mr. Speaker, I would also like to vote no on this and all others, and I did the same thing last year if you remember, Mr. Speaker. I did a very rough test. It cost

the taxpayers of this State over, I think it was \$300,000, not only in postage, time, paper, but also where and what the resolutions tell the departments what to do, and I think for this kind of rushing, it's improper. I don't think that it's advisable to do this kind of thing and I think that the resolutions should have a lot more thought, that if we're going to pass them, we should at least be able to work on them a lot more.

"Thank you very much, Mr. Speaker."

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.C.R. No. 157, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE PROBLEMS FACED BY OBSTETRICIANS AND GYNECOLOGISTS CONCERNING MEDICAL MALPRACTICE INSURANCE," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1618-88) recommending that S.C.R. No. 196, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.C.R. No. 196, HD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER AND A FUEL/PUMP OUT FACILITY," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1619-88) recommending that S.C.R. No. 194, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.C.R. No. 194, HD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1620-88) recommending that S.C.R. No. 195, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.C.R. No. 195, HD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR THE PURPOSE OF A BERTHING FACILITY," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1621-88) recommending that S.C.R. No. 19 be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the

Committee was adopted and S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was adopted, with Representatives Anderson and Liu voting no.

Representative Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1622-88) recommending that H.R. No. 371, as amended in HD 1, be adopted.

By unanimous consent, action was deferred one day.

Representative Hagino, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1623-88) recommending that S.C.R. No. 160, as amended in HD 1, be adopted.

On motion by Representative Hagino, seconded by Representative Arakaki and carried, the report of the Committee was adopted and S.C.R. No. 160, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING ADOPTION OF THE COMPREHENSIVE MASTER PLAN FOR THE ELDERLY, UPDATE 1988," was adopted, with Representatives Anderson and Liu voting no.

Representative Hagino, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1624-88) recommending that S.C.R. No. 148, as amended in HD 1, be adopted.

On motion by Representative Hagino, seconded by Representative Arakaki and carried, the report of the Committee was adopted and S.C.R. No. 148, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF YOUTH GANGS," was adopted, with Representatives Anderson and Liu voting no.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1625-88) recommending that S.C.R. No. 84, as amended in HD 1, be adopted.

On motion by Representative Taniguchi, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 84, HD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE GROWTH AND DEVELOPMENT OF HIGH TECHNOLOGY IN HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Representatives Hirono and Fukunaga, for the Committees on Consumer Protection and Commerce and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1626-88) recommending that S.C.R. No. 100, SD 1, as amended in HD 1, be adopted.

On motion by Representative Hirono, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and S.C.R. No. 100, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE PROBLEMS OF CONDOMINIUM GOVERNANCE," was adopted, with Representatives Anderson and Liu voting no.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 1627-88) recommending that S.C.R. No. 97, SD 1, as amended in HD 1, be adopted.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and S.C.R. No. 97, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING INTERESTED PARTIES TO JOINTLY PROPOSE RECOMMENDED SOLUTIONS TO VARIOUS ISSUES RELATED TO LEASEHOLD CONDOMINIUMS AND COOPERATIVES," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1628-88) recommending that S.C.R. No. 173, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.C.R. No. 173, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE OCEAN RECREATION MANAGEMENT PLAN FOR THE STATE OF HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1629-88) recommending that S.C.R. No. 244, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.C.R. No. 244, HD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER OR DEVELOPERS CERTAIN PUBLIC AND SUBMERGED LANDS AT THE NORTHEAST SHORE SITE OF KE'EHU LAGOON, HONOLULU, OAHU, HAWAII, FOR RECREATIONAL, EDUCATIONAL AND COMMERCIAL PURPOSES IN CONJUNCTION WITH DEVELOPMENT OF THE NORTHEAST SHORE SITE PLAN FOR CANOE FACILITIES," was adopted, with Representatives Anderson and Liu voting no.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1630-88) recommending that S.C.R. No. 175, as amended in HD 1, be adopted.

On motion by Representative Taniguchi, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 175, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH A CENTER FOR THE STUDY OF ACTIVE VOLCANOES AT THE UNIVERSITY OF HAWAII AT HILO," was adopted, with Representatives Anderson and Liu voting no.

Representative Levin, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1631-88) recommending that S.C.R. No. 55, SD 1, as amended in HD 1, be adopted.

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and S.C.R. No. 55, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DEVELOPMENT ALTERNATIVES FOR THE KA'U DISTRICT," was

adopted, with Representatives Anderson and Liu voting no.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1632-88) recommending that S.C.R. No. 204, SD 1, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the Committee was adopted and S.C.R. No. 204, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ADVOCATE THE INCLUSION OF THE HAWAIIAN LANGUAGE AMONG THOSE LANGUAGES REGARDED AS NATIVE AMERICAN LANGUAGES," was adopted, with Representatives Anderson and Liu voting no.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1633-88) recommending that S.C.R. No. 192, SD 1, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the Committee was adopted and S.C.R. No. 192, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND CANADA WITH THE INCLUSION OF THE AMERICAN AFFILIATED PACIFIC STATES AS PARTICIPANTS," was adopted, with Representatives Anderson and Liu voting no.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1634-88) recommending that S.C.R. No. 156, SD 1, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the Committee was adopted and S.C.R. No. 156, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS AND THE DEPARTMENT OF DEFENSE TO MITIGATE THE PROBLEMS OF INSUFFICIENT CHILD CARE AND SOCIAL MALADJUSTMENT ENCOUNTERED BY MILITARY PERSONNEL AND FAMILY MEMBERS," was adopted, with Representatives Anderson and Liu voting no.

Representative Crozier, for the majority of the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1635-88) recommending that S.C.R. No. 68, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the majority of the Committee was adopted and S.C.R. No. 68, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO RETURN THE ISLAND OF KAHŌ'OLAWĒ TO THE STATE OF HAWAII AND THE COUNTY OF MAUI," was adopted, with Representatives Anderson and Liu voting no.

Representative Crozier, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1636-88) recommending that S.C.R. No. 33, SD 1, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Ihara and carried, the report of the Committee was adopted and S.C.R. No. 33, SD 1, HD 1,

entitled: "SENATE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Representatives Hagino and Crozier, for the Committees on Human Services and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1637-88) recommending that S.C.R. No. 165, as amended in HD 1, be adopted.

On motion by Representative Hagino, seconded by Representative Crozier and carried, the joint report of the Committees was adopted and S.C.R. No. 165, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT AND ADOPTION OF THE 'YOUNG AMERICANS ACT OF 1987'," was adopted, with Representatives Anderson and Liu voting no.

Representatives Bunda and Crozier, for the Committees on Ocean and Marine Resources and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1638-88) recommending that S.C.R. No. 31, SD 1, as amended in HD 1, be adopted.

Representative Levin rose to speak in favor of the resolution, with reservations, stating:

"I would like the record to indicate that the Legislature is not going on record as endorsing the development of manganese nodule mining or manganese crust mining when we are going on record in favor of the effective use of ocean resources.

"Thank you."

On motion by Representative Bunda, seconded by Representative Crozier and carried, the report of the Committee was adopted and S.C.R. No. 31, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF TECHNOLOGY TO ALLOW FOR THE EFFECTIVE UTILIZATION OF OCEAN RESOURCES," was adopted, with Representatives Anderson and Liu voting no.

Representatives Metcalf and Souki, for the majority of the Committees on Judiciary and Finance, presented a joint report (Stand. Com. Rep. No. 1639-88) recommending that S.C.R. No. 9, SD 1, as amended in HD 1, be adopted.

Representative Cavasso rose to speak against the resolution, stating:

"Mr. Speaker, if you have a family and the child is being poorly treated by the parents but you're helping that family in one way or another -- providing food, or transportation to school, or other needs -- and you're upset with the way the parent is treating the child and therefore you stop giving them transportation to school or other places where their needs are being met, you take away their food, it seems to me that the one who would be most hurt by that action is the child, not the parents, and I see us doing that by this sort of action. Therefore, I ask that my 'no' vote be cast on this resolution.

"Thank you."

Representative Metcalf rose to speak in favor of the resolution, stating:

"I would just like to ask permission to have the remarks that either Representative Kotani or Representative Hagino are likely to make on this subject entered into the record as my own. (By reference only)

"Thank you."

Representative Kotani rose to speak in favor of the resolution, stating:

"In rebuttal to certain comments that have been made against this resolution--who's the parent and who's the child--the whole point of opposing the apartheid system in South Africa is that we reject the paternalistic system of segregation that exists in that country. It's also important to note that it's against the law in South Africa to speak out against for divestment and that explains one of the reasons why Black South Africans, even when they go abroad, are not able to come out clearly and advocate divestment.

"And I believe Bishop Desmond Tutu, when he spoke in other countries, he said that we should be aware of what the situation is and follow our conscience.

"Thank you, Mr. Speaker."

Representative Hagino rose to speak in favor of the resolution, stating:

"There are a lot of countries which we may disagree in terms of the living conditions. But each one of those countries all have lofty ideals either in their constitution or somewhere in the laws. There are countries in the world but one, for example, that outlaw racism.

"The difference between the unions of South Africa and all the other countries in the world is that legally, you must be a racist. You cannot be anything else but a racist in South Africa and that is the difference between this country and all the other countries currently existing in the world. They do not have, even as a lofty ideal, that all men and women are created equal. You cannot be in South Africa without being a racist. The law and the constitution compels you to be a racist. The Parliament and the police will tell you to be a racist. You cannot express any lofty ideals at all. Otherwise, you will be a law breaker.

"Therefore, I ask all our members to vote in favor of this resolution."

Representative Cavasso, in rebuttal, stated:

"It is not intended to be a paternalistic or such. The example was intended to point out that the Blacks of South Africa may well be hurt more by this action than helped."

On motion by Representative Metcalf, seconded by Representative Souki and carried, the report of the majority of the Committee was adopted and S.C.R. No. 9, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO DIVEST STATE MONEYS FROM SOUTH AFRICAN INVESTMENTS," was adopted, with Representatives Anderson, Liu and O'Kieffe voting no.

Representatives Hirono and Fukunaga, for the Committees on Consumer Protection and Commerce and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1640-88) recommending that S.C.R. No. 147, as amended in HD 1, be adopted.

On motion by Representative Hirono, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and S.C.R. No. 147, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A PRELIMINARY STUDY OF THE NEED FOR REGULATION OF UNREGULATED COMPANIES WHICH TAKE CUSTODY OF THE TRANSFER OF FUNDS OF OTHERS," was adopted, with Representatives Anderson and Liu voting no.

Representatives Hirono and Fukunaga, for the majority of the Committees on Consumer Protection and Commerce and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1641-88) recommending that S.C.R. No. 235, SD 1, as amended in HD 1, be adopted.

On motion by Representative Hirono, seconded by Representative Fukunaga and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 235, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A STUDY OF THE UTILIZATION AND EFFECTS OF OPERATING LICENSES AND COMMERCIAL LEASES OF A SHORT-TERM OR INDETERMINATE NATURE," was adopted, with Representatives Anderson, Liu, Marumoto and Say voting no.

At 6:05 o'clock p.m., Representative Cachola asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:06 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of reconsidering action previously taken.

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Apo, seconded by Representative Anderson and carried, the House reconsidered its action taken previously in disagreeing to the amendments proposed by the Senate to H.B. Nos. 2499, HD 1 (SD 1); 3265, HD 1 (SD 1); 3529 (SD 1); and 3558, HD 1 (SD 1).

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 2499, HD 1 (SD 1); 3265, HD 1 (SD 1); 3529 (SD 1); and 3558, HD 1 (SD 1).

ADJOURNMENT

At 6:10 o'clock p.m., on motion by Representative Apo, seconded by Representative Anderson and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Wednesday, April 27, 1988.

SIXTY-SECOND DAY

Wednesday, April 27, 1988

The House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 12:05 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Ezra R. Kanoho, after which the Roll was called showing all members present with the exception of Representative Cavasso, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Sixty-First Day.

On motion by Representative Apo, seconded by Representative Anderson and carried, reading of the Journal was dispensed with and the Journal of the Sixty-First Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1068 to 1154) were read by the Clerk and were placed on file:

Sen. Com. No. 1068, returning House Bill No. 2042, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1069, returning House Bill No. 2310, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING TSUNAMI PREPAREDNESS IN HAWAII," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1070, returning House Bill No. 2311, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING THE STATEWIDE TSUNAMI WARNING, RESPONSE, AND INFORMATION SYSTEM," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1071, returning House Bill No. 2774, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1072, returning House Bill No. 3299, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF THE DEREGULATION OF CERTAIN TELECOMMUNICATIONS ACTIVITIES TO PROMOTE THE GROWTH OF THE TELECOMMUNICATIONS INDUSTRY IN THE STATE," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1073, returning House Bill No. 3574, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE ATTORNEY GENERAL," which passed Third Reading in the Senate on April 26, 1988.

Sen. Com. No. 1074, informing the House that the following Senate Bills have passed Final Reading in the Senate on April 26, 1988:

S.B. No. 1471, SD 1, HD 2, entitled: "RELATING TO A VETERANS' MEMORIAL";

S.B. No. 2209, SD 2, HD 2, entitled: "AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM";

S.B. No. 2349, SD 1, HD 2, entitled: "RELATING TO PUBLIC EMPLOYMENT";

S.B. No. 2501, SD 2, HD 2, entitled: "RELATING TO THE REAL ESTATE COMMISSION";

S.B. No. 2750, SD 1, HD 1, entitled: "RELATING TO GEOTHERMAL MINING LEASES";

S.B. No. 2758, SD 2, HD 1, entitled: "RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

S.B. No. 2840, HD 1, entitled: "RELATING TO OCEAN WATERS AND NAVIGABLE STREAMS";

S.B. No. 2888, SD 1, HD 1, entitled: "RELATING TO THE UNDERGRADUATE INSTRUCTIONAL PROGRAM IN TROPICAL AGRICULTURE AT THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII, HILO CAMPUS";

S.B. No. 3018, SD 1, HD 1, entitled: "RELATING TO SCHOOL PERSONNEL";

S.B. No. 3042, SD 1, HD 2, entitled: "MAKING AN APPROPRIATION FOR A DEMONSTRATION SHRIMP PROJECT WITH THE SUGAR INDUSTRY";

S.B. No. 3062, SD 2, HD 2, entitled: "RELATING TO THE GENERAL EXCISE TAX";

S.B. No. 3077, HD 1, entitled: "RELATING TO CONCESSIONS ON PUBLIC PROPERTY";

S.B. No. 3151, SD 1, HD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO FINANCE A HIGH TECHNOLOGY DEVELOPMENT PROJECT IN THE CITY AND COUNTY OF HONOLULU";

S.B. No. 3204, SD 2, HD 2, entitled: "RELATING TO ENVIRONMENTAL EMERGENCY RESPONSE";

S.B. No. 3210, SD 1, HD 1, entitled: "RELATING TO VITAL STATISTICS";

S.B. No. 3225, SD 1, HD 1, entitled: "RELATING TO PROTECTION OF LANDS";

S.B. No. 3226, HD 1, entitled: "RELATING TO THE LAND FIRE PROTECTION LAW";

S.B. No. 3229, SD 1, HD 1, entitled: "RELATING TO PUBLIC HIGHWAYS";

S.B. No. 3230, SD 1, HD 1, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES";

S.B. No. 3277, HD 3, entitled: "RELATING TO HISTORIC PRESERVATION"; and

S.B. No. 3392, SD 2, HD 2, entitled: "RELATING TO THE HAWAII WING, CIVIL AIR PATROL."

Sen. Com. No. 1074-A, informing the House that the Senate has reconsidered its action taken on April 22, 1988, in passing Senate Bill No. 3222, SD 1, HD 1, on

Final Reading. Said bill has been placed on the calendar for Final Reading on April 26, 1988, in the form S.B. No. 3222, SD 1, HD 1, CD 1, having been reported from Conference Committee on April 22, 1988, in Senate Conference Committee Report No. 169 and House Conference Committee Report No. 71-88.

Sen. Com. No. 1075, informing the House that the following conference drafts have passed Final Reading in the Senate on April 26, 1988:

Conf. Com. Rep. No. 127: H.B. No. 3464, HD 1, SD 1, CD 1, "RELATING TO ADULT RESIDENTIAL CARE HOMES";

Conf. Com. Rep. No. 128: H.B. No. 3305, HD 1, SD 1, CD 1, "RELATING TO DENTAL SERVICE ORGANIZATIONS";

Conf. Com. Rep. No. 130: H.B. No. 3286, HD 1, SD 1, CD 1, "RELATING TO LICENSING OF PSYCHOLOGISTS";

Conf. Com. Rep. No. 131: H.B. No. 2036, HD 1, SD 1, CD 1, "RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY";

Conf. Com. Rep. No. 132: H.B. No. 2037, HD 1, SD 1, CD 1, "RELATING TO NEW MOTOR VEHICLE WARRANTIES";

Conf. Com. Rep. No. 133: H.B. No. 1222, SD 1, CD 1, "RELATING TO INTOXICATING LIQUOR";

Conf. Com. Rep. No. 134: H.B. No. 2280, HD 1, SD 1, CD 1, "RELATING TO ACUPUNCTURE";

Conf. Com. Rep. No. 135: H.B. No. 2627, SD 2, CD 1, "MAKING AN APPROPRIATION TO FUND THE STATEWIDE COLLECTION AND DISPOSAL OF HAZARDOUS WASTES PRODUCED BY FARMERS AND HOUSEHOLDERS IN HAWAII";

Conf. Com. Rep. No. 137: H.B. No. 2067, HD 2, SD 1, CD 1, "RELATING TO THE PROTECTION OF ENVIRONMENTAL RESOURCES";

Conf. Com. Rep. No. 138: H.B. No. 3190, HD 1, SD 2, CD 1, "RELATING TO HEALTH";

Conf. Com. Rep. No. 139: H.B. No. 2268, SD 1, CD 1, "RELATING TO HEALTH";

Conf. Com. Rep. No. 141: H.B. No. 2691, SD 2, CD 1, "MAKING AN APPROPRIATION FOR A CENTER FOR APPLIED AQUACULTURE";

Conf. Com. Rep. No. 142: H.B. No. 2876, SD 1, CD 1, "MAKING AN APPROPRIATION FOR A HYPERBARIC TREATMENT CHAMBER SYSTEM";

Conf. Com. Rep. No. 144: H.B. No. 2788, HD 2, SD 1, CD 1, "RELATING TO BUSINESS REGISTRATION";

Conf. Com. Rep. No. 145: H.B. No. 3601, HD 1, SD 1, CD 1, "RELATING TO BUSINESS REGISTRATION";

Conf. Com. Rep. No. 147: H.B. No. 2523, HD 1, SD 1, CD 1, "RELATING TO TRAVEL AGENCIES";

Conf. Com. Rep. No. 148: H.B. No. 3287, SD 1, CD 1, "RELATING TO MOTOR VEHICLE REPAIRS";

Conf. Com. Rep. No. 149: H.B. No. 3494, HD 2, SD 1, CD 1, "RELATING TO MEASUREMENT STANDARDS";

Conf. Com. Rep. No. 153: H.B. No. 3441, SD 2, CD 1, "RELATING TO THE CAPITAL LOAN PROGRAM";

Conf. Com. Rep. No. 164: H.B. No. 2783, HD 1, SD 1, CD 1, "RELATING TO INSURANCE";

Conf. Com. Rep. No. 165: H.B. No. 3261, HD 1, SD 1, CD 1, "RELATING TO FINANCIAL INSTITUTIONS";

Conf. Com. Rep. No. 166: H.B. No. 3291, HD 1, SD 1, CD 1, "RELATING TO INSURANCE";

Conf. Com. Rep. No. 167: H.B. No. 3297, HD 1, SD 1, CD 1, "RELATING TO REAL ESTATE";

Conf. Com. Rep. No. 171: H.B. No. 2055, HD 1, SD 2, CD 1, "RELATING TO EMPLOYMENT ASSISTANCE";

Conf. Com. Rep. No. 172: H.B. No. 3012, HD 1, SD 2, CD 1, "RELATING TO THE DEPARTMENT OF HEALTH";

Conf. Com. Rep. No. 174: H.B. No. 2604, HD 2, SD 2, CD 1, "MAKING AN APPROPRIATION TO ASSIST THE MENTALLY ILL";

Conf. Com. Rep. No. 175: H.B. No. 3548, HD 2, SD 2, CD 1, "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

Conf. Com. Rep. No. 176: H.B. No. 2278, HD 1, SD 2, CD 1, "RELATING TO THE HAWAII CRIMINAL JUSTICE COMMISSION";

Conf. Com. Rep. No. 177: H.B. No. 3242, HD 2, SD 2, CD 1, "RELATING TO PUBLIC ASSISTANCE";

Conf. Com. Rep. No. 178: H.B. No. 2532, HD 2, SD 2, CD 1, "RELATING TO VETERANS";

Conf. Com. Rep. No. 179: H.B. No. 2054, HD 1, SD 2, CD 1, "RELATING TO CHILDREN";

Conf. Com. Rep. No. 181: H.B. No. 2151, HD 2, SD 2, CD 1, "RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI";

Conf. Com. Rep. No. 183: H.B. No. 2071, HD 1, SD 2, CD 1, "MAKING AN APPROPRIATION FOR THE RENOVATION OF BUILDINGS OR CONSTRUCTION OF EMERGENCY SHELTERS";

Conf. Com. Rep. No. 184: H.B. No. 2553, HD 1, SD 2, CD 1, "MAKING AN APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS";

Conf. Com. Rep. No. 185: H.B. No. 3137, HD 2, SD 2, CD 1, "RELATING TO PUBLIC LANDS";

Conf. Com. Rep. No. 187: H.B. No. 3173, HD 2, SD 2, CD 1, "RELATING TO THE HONOLULU SYMPHONY";

Conf. Com. Rep. No. 189: H.B. No. 3535, HD 1, SD 1, CD 1, "RELATING TO AERONAUTICS";

Conf. Com. Rep. No. 194: H.B. No. 2352, SD 1, CD 1, "RELATING TO SALVAGED MOTOR VEHICLES";

Conf. Com. Rep. No. 195: H.B. No. 225, HD 2, SD 2, CD 1, "RELATING TO A VETERANS CEMETERY";

Conf. Com. Rep. No. 197: H.B. No. 3150, HD 1, SD 2, CD 1, "RELATING TO COUNTY/STATE HOSPITALS";

Conf. Com. Rep. No. 198: H.B. No. 3563, HD 2, SD 2, CD 1, "RELATING TO OUT-OF-STATE OFFICES OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT";

Conf. Com. Rep. No. 199: H.B. No. 3102, HD 1, SD 2, CD 1, "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

Conf. Com. Rep. No. 203: H.B. No. 3570, HD 1, SD 1, CD 1, "RELATING TO SUPPORT";

Conf. Com. Rep. No. 209: H.B. No. 2348, HD 1, SD 1, CD 2, "RELATING TO PSYCHOLOGISTS";

Conf. Com. Rep. No. 210: H.B. No. 2345, HD 2, SD 1, CD 1, "RELATING TO ROOMING HOUSES";

Conf. Com. Rep. No. 211: H.B. No. 479, SD 1, CD 1, "RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE";

Conf. Com. Rep. No. 213: H.B. No. 1499, HD 2, SD 1, CD 1, "RELATING TO PUBLIC OFFICERS AND EMPLOYEES";

Conf. Com. Rep. No. 216: H.B. No. 2220, HD 1, SD 1, CD 1, "RELATING TO OUT-OF-STATE VEHICLE PERMIT";

Conf. Com. Rep. No. 217: H.B. No. 2231, HD 1, SD 1, CD 1, "RELATING TO PARKING";

Conf. Com. Rep. No. 222: H.B. No. 3308, SD 1, CD 1, "RELATING TO REAL ESTATE";

Conf. Com. Rep. No. 223: H.B. No. 2035, HD 1, SD 2, CD 1, "RELATING TO CAPTIVE INSURANCE";

Conf. Com. Rep. No. 224: H.B. No. 2068, HD 1, SD 2, CD 1, "MAKING AN APPROPRIATION FOR A METHANOL-FROM-BIOMASS PROGRAM";

Conf. Com. Rep. No. 227: H.B. No. 3009, HD 1, SD 2, CD 1, "RELATING TO THE JUNIOR POLICE ORGANIZATION";

Conf. Com. Rep. No. 228: H.B. No. 2031, HD 2, SD 2, CD 1, "RELATING TO INTERNATIONAL SERVICES";

Conf. Com. Rep. No. 235: H.B. No. 2002, HD 1, SD 1, CD 1, "RELATING TO PUBLIC RECORDS";

Conf. Com. Rep. No. 236: H.B. No. 3238, HD 2, SD 2, CD 1, "RELATING TO A STATEWIDE TRAIL AND ACCESS SYSTEM";

Conf. Com. Rep. No. 237: H.B. No. 2974, HD 1, SD 1, CD 1, "RELATING TO PUBLIC LANDS";

Conf. Com. Rep. No. 240: H.B. No. 2006, SD 2, CD 1, "RELATING TO THE ESTABLISHMENT OF A

STATEWIDE FAIR ACCESS COMMISSION AND MAKING AN APPROPRIATION THEREFOR";

Conf. Com. Rep. No. 243: H.B. No. 501, HD 1, SD 1, CD 1, "RELATING TO STATE BONDS";

Conf. Com. Rep. No. 247: H.B. No. 2022, HD 2, SD 2, CD 1, "RELATING TO A BUSINESS PERMITS SERVICE CENTER";

Conf. Com. Rep. No. 136: S.B. No. 2448, SD 1, HD 1, CD 1, "RELATING TO VEHICLES LEFT UNATTENDED ON PRIVATE AND PUBLIC PROPERTY";

Conf. Com. Rep. No. 140: S.B. No. 2276, SD 1, HD 1, CD 1, "RELATING TO HAWAII-MADE PRODUCTS";

Conf. Com. Rep. No. 143: S.B. No. 2848, SD 1, HD 1, CD 1, "RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS";

Conf. Com. Rep. No. 146: S.B. No. 3076, SD 1, HD 1, CD 1, "RELATING TO THE MOTOR VEHICLE INDUSTRY";

Conf. Com. Rep. No. 150: S.B. No. 1541, SD 2, HD 2, CD 1, "RELATING TO HEALTH";

Conf. Com. Rep. No. 151: S.B. No. 2362, SD 1, HD 1, CD 1, "RELATING TO ALTERNATE ENERGY";

Conf. Com. Rep. No. 152: S.B. No. 2773, SD 1, HD 1, CD 1, "RELATING TO HEADS OF DEPARTMENTS";

Conf. Com. Rep. No. 154: S.B. No. 2868, SD 1, HD 2, CD 1, "RELATING TO SMOKING";

Conf. Com. Rep. No. 155: S.B. No. 587, SD 1, HD 1, CD 1, "RELATING TO BICYCLE AND MOPED LICENSES";

Conf. Com. Rep. No. 156: S.B. No. 2852, HD 1, CD 1, "RELATING TO BOATING";

Conf. Com. Rep. No. 157: S.B. No. 2871, SD 1, HD 1, CD 1, "RELATING TO HEALTH INFORMATION";

Conf. Com. Rep. No. 159: S.B. No. 3219, SD 1, HD 1, CD 1, "RELATING TO ADVERTISEMENT FOR BIDS REQUIRED; EXCEPTION";

Conf. Com. Rep. No. 160: S.B. No. 546, SD 1, HD 2, CD 1, "RELATING TO COUNTIES";

Conf. Com. Rep. No. 161: S.B. No. 3217, SD 1, HD 2, CD 1, "RELATING TO HEALTH";

Conf. Com. Rep. No. 162: S.B. No. 2318, HD 1, CD 1, "RELATING TO PAYMENT FOR GOODS AND SERVICES";

Conf. Com. Rep. No. 163: S.B. No. 2681, SD 1, HD 1, CD 1, "RELATING TO AERONAUTICS";

Conf. Com. Rep. No. 168: S.B. No. 743, SD 1, HD 1, CD 1, "RELATING TO HISTORIC PRESERVATION";

Conf. Com. Rep. No. 169: S.B. No. 3222, SD 1, HD 1, CD 1, "RELATING TO CHILD CARE";

Conf. Com. Rep. No. 180: S.B. No. 2584, SD 1, HD 2, CD 1, "RELATING TO BISHOP MUSEUM";

Conf. Com. Rep. No. 186: S.B. No. 251, SD 1, HD 2, CD 1, "RELATING TO STATE HOLIDAYS";

Conf. Com. Rep. No. 188: S.B. No. 2422, SD 1, HD 1, CD 1, "RELATING TO UNINSURED MOTORISTS";

Conf. Com. Rep. No. 190: S.B. No. 2267, SD 1, HD 1, CD 1, "RELATING TO COLLECTIVE BARGAINING";

Conf. Com. Rep. No. 191: S.B. No. 2931, SD 1, HD 1, CD 1, "RELATING TO CONDOMINIUM EMPLOYEES";

Conf. Com. Rep. No. 192: S.B. No. 986, SD 2, HD 1, CD 1, "RELATING TO INSURANCE";

Conf. Com. Rep. No. 196: S.B. No. 2363, SD 2, HD 2, CD 1, "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES";

Conf. Com. Rep. No. 200: S.B. No. 3095, SD 1, HD 1, CD 1, "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MANUFACTURING AGRICULTURAL PRODUCTS";

Conf. Com. Rep. No. 201: S.B. No. 2024, SD 1, HD 2, CD 1, "RELATING TO OCEAN RESOURCES";

Conf. Com. Rep. No. 202: S.B. No. 1450, SD 2, HD 2, CD 1, "RELATING TO PERSONAL CARE SERVICES";

Conf. Com. Rep. No. 204: S.B. No. 2955, SD 2, HD 2, CD 1, "RELATING TO ADULT RESIDENTIAL CARE HOMES";

Conf. Com. Rep. No. 206: S.B. No. 3182, SD 2, HD 2, CD 1, "RELATING TO THE DEVELOPMENT AND USE OF GEOTHERMAL ENERGY";

Conf. Com. Rep. No. 207: S.B. No. 2462, SD 1, HD 1, CD 1, "RELATING TO PROTECTION OF STREAMS";

Conf. Com. Rep. No. 208: S.B. No. 3190, SD 1, HD 1, CD 1, "RELATING TO HOUSING";

Conf. Com. Rep. No. 212: S.B. No. 2336, HD 1, CD 1, "RELATING TO HANDICAPPED PERSONS";

Conf. Com. Rep. No. 214: S.B. No. 3146, SD 1, HD 1, CD 1, "RELATING TO PROPERTY";

Conf. Com. Rep. No. 215: S.B. No. 3378, SD 1, HD 1, CD 1, "RELATING TO MOTOR VEHICLE INSURANCE";

Conf. Com. Rep. No. 218: S.B. No. 2680, SD 1, HD 1, CD 1, "RELATING TO TAXICABS";

Conf. Com. Rep. No. 219: S.B. No. 3073, SD 1, HD 1, CD 1, "RELATING TO TRANSPORTATION";

Conf. Com. Rep. No. 221: S.B. No. 3248, SD 2, HD 1, CD 1, "RELATING TO BOTTLED WATER";

Conf. Com. Rep. No. 225: S.B. No. 2979, SD 2, HD 2, CD 1, "RELATING TO JUVENILES";

Conf. Com. Rep. No. 226: S.B. No. 2298, SD 1, HD 2, CD 1, "RELATING TO THE HAWAII WORKERS' COMPENSATION STATE FUND";

Conf. Com. Rep. No. 229: S.B. No. 2860, SD 1, HD 1, CD 1, "RELATING TO ENVIRONMENTAL IMPACT STATEMENTS";

Conf. Com. Rep. No. 231: S.B. No. 2882, SD 2, HD 2, CD 1, "RELATING TO SOLID WASTE MANAGEMENT AND RECYCLING OPPORTUNITY";

Conf. Com. Rep. No. 232: S.B. No. 3233, SD 2, HD 1, CD 1, "RELATING TO ENTERPRISE ZONES";

Conf. Com. Rep. No. 238: S.B. No. 2884, SD 1, HD 1, CD 1, "RELATING TO THE TOURISM TRAINING COUNCIL";

Conf. Com. Rep. No. 239: S.B. No. 3161, SD 1, HD 2, CD 1, "RELATING TO MANAGEMENT OF STATE FUNDS";

Conf. Com. Rep. No. 241: S.B. No. 2633, HD 2, CD 1, "RELATING TO THE HEARING-IMPAIRED";

Conf. Com. Rep. No. 242: S.B. No. 2468, SD 1, HD 1, CD 1, "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

Conf. Com. Rep. No. 244: S.B. No. 2195, SD 2, HD 2, CD 1, "RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI";

Conf. Com. Rep. No. 245: S.B. No. 3088, SD 2, HD 2, CD 1, "RELATING TO HUMAN SERVICES";

Conf. Com. Rep. No. 246: S.B. No. 3080, SD 1, HD 2, CD 1, "RELATING TO INCOME TAX LAW"; and

Conf. Com. Rep. No. 193: H.C.R. No. 386, HD 1, SD 1, CD 1, "AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHU LAGOON, HONOLULU, OAHU, HAWAII FOR COMMERCIAL, RECREATIONAL, AND LIGHT INDUSTRIAL PURPOSES."

Sen. Com. No. 1076, returning House Concurrent Resolution No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE IMMIGRATION AND NATURALIZATION SERVICE TO ESTABLISH A PRE-INSPECTION STATION IN JAPAN," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1077, returning House Concurrent Resolution No. 11, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OCEAN RESOURCES BRANCH OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO PUBLIC AN ANNUAL UPDATE TO THEIR COMPENDIUM OF STATE OCEAN AND MARINE POLICIES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1078, returning House Concurrent Resolution No. 19, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ESTABLISH A VETERANS HOSPITAL

IN HAWAII," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1079, returning House Concurrent Resolution No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO IDENTIFY THE NEEDS OF PACIFIC RIM COUNTRIES WITH REGARD TO RENEWABLE ENERGY SYSTEMS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1080, returning House Concurrent Resolution No. 24, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO REPORT TO THE LEGISLATURE WITH REGARD TO THE STATE'S EFFORTS TO IMPROVE COORDINATION WITH THE COUNTIES FOR CAPITAL IMPROVEMENT PLANNING (CIP) PROJECTS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1081, returning House Concurrent Resolution No. 49, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE STATE INVESTIGATE THE POSSIBILITY OF CONSOLIDATING FILM AND VIDEO STORAGE AREAS AND THAT FUTURE STATE FUNDED FILM AND VIDEO PROJECTS INCLUDE FUNDS FOR THE PRESERVATION OF SUCH MATERIALS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1082, returning House Concurrent Resolution No. 50, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE STATE INTEGRATE FILM AND VIDEO PRESERVATION PLANNING THROUGH INTER-AGENCY PROCEDURES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1083, returning House Concurrent Resolution No. 51, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1084, returning House Concurrent Resolution No. 54, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ENSURE THE SAFETY OF PASSENGERS RIDING IN THE BEDS OF PICK-UP TRUCKS, FLAT BED TRUCKS, AND OTHER SIMILAR VEHICLES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1085, returning House Concurrent Resolution No. 60, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE MANAGEMENT AND FUNDING OF THE NATURAL AREA RESERVES SYSTEM," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1086, returning House Concurrent Resolution No. 61, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE CREATED BY HELICOPTERS OVER RESIDENTIAL AREAS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1087, returning House Concurrent Resolution No. 63, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF RURAL WATER CATCHMENT PROBLEMS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1088, returning House Concurrent Resolution No. 70, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE THE DEVELOPMENT OF AN AUDITORIUM AT CAMPBELL HIGH SCHOOL," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1089, returning House Concurrent Resolution No. 72, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION PROTESTING THE RECENT FEDERAL CUTBACKS TO THE UNITED STATES COAST GUARD SERVICES IN THE STATE OF HAWAII AND REQUESTING CONGRESSIONAL SUPPORT TO REINSTATE FUNDS TO RESTORE THE LEVEL OF SERVICE," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1090, returning House Concurrent Resolution No. 76, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR EFFORTS TO IMPROVE THE PRESERVATION, RESTORATION, AND MAINTENANCE OF HISTORIC HAWAIIAN SITES ON THE NEIGHBOR ISLANDS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1091, returning House Concurrent Resolution No. 77, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXPANSION OF THE ARCHAEOLOGY PROGRAM AT THE UNIVERSITY OF HAWAII-MANOA," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1092, returning House Concurrent Resolution No. 82, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE USE OF ETHANOL FUEL AS AN ALTERNATE ENERGY SOURCE," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1093, returning House Concurrent Resolution No. 84, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A PUBLIC EDUCATION PROGRAM ABOUT THE SUGAR INDUSTRY," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1094, returning House Concurrent Resolution No. 87, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PACIFIC INTERNATIONAL CENTER FOR HIGH TECHNOLOGY RESEARCH TO CONVENE A PANEL OF DISTINGUISHED ISLAND REPRESENTATIVES TO EXAMINE THE EXCLUSIVE ECONOMIC ZONE HIGH TECHNOLOGY NEEDS OF THE AMERICAN FLAG PACIFIC ISLANDS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1095, returning House Concurrent Resolution No. 89, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF TECHNOLOGY TO ALLOW FOR THE EFFECTIVE UTILIZATION OF OCEAN RESOURCES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1096, returning House Concurrent Resolution No. 104, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE PURCHASE OF JARRETT WHITE ROAD," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1097, returning House Concurrent Resolution No. 108, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY BY THE LEGISLATIVE AUDITOR OF THE IMPACT OF PARKING BY THE UNIVERSITY OF HAWAII'S STUDENTS ON THE SURROUNDING COMMUNITIES AND OTHER ALTERNATIVES AVAILABLE TO THE UNIVERSITY," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1098, returning House Concurrent Resolution No. 110, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS TO ARTICULATE A POLICY FOR THE ACQUISITION OF PROPERTY," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1099, returning House Concurrent Resolution No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RESEARCH, MARKETING, AND EDUCATIONAL PROGRAMS ON TUNA IN HAWAIIAN WATERS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1100, returning House Concurrent Resolution No. 133, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SUPPORT THE INCLUSION OF TUNA IN THE MAGNUSON ACT," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1101, returning House Concurrent Resolution No. 135, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE THE DEVELOPMENT OF AN AUDITORIUM AT KONAWAENA HIGH SCHOOL," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1102, returning House Concurrent Resolution No. 142, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NEED FOR REGULATION OF THE ADMINISTRATION OF ANESTHESIA OUTSIDE OF HOSPITALS IN LIGHT OF THE GROWING TREND TOWARD PERFORMING MEDICAL PROCEDURES IN DOCTOR'S OFFICES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1103, returning House Concurrent Resolution No. 143, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO CHOOSE AND PROVIDE FUNDS FOR A PERMANENT SITE FOR THE AIEA POST OFFICE," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1104, returning House Concurrent Resolution No. 144, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PROVIDING COVERED PHYSICAL EDUCATION FACILITIES FOR SCHOOLS IN AREAS WITH HEAVY RAINFALL," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1105, returning House Concurrent Resolution No. 145, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION CLARIFYING THE INTENT OF THE LEGISLATURE WITH RESPECT TO

THE DIAMOND HEAD STATE MONUMENT," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1106, returning House Concurrent Resolution No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A CONTROL PROGRAM FOR THE RED-VENTED AND RED-WHISKERED BULBULS TO PROTECT HAWAII'S AGRICULTURE," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1107, returning House Concurrent Resolution No. 153, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVIEW INSPECTION PROCEDURES TO MINIMIZE THE INTRODUCTION OF INSECT PESTS IN HAWAII," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1108, returning House Concurrent Resolution No. 161, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE OF THE STATE OF HAWAII TO CONDUCT A STUDY TO DETERMINE WAYS IN WHICH STATE DISASTER AID MAY BE PROVIDED WITHOUT JEOPARDIZING FEMA AND SBA FUNDING," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1109, returning House Concurrent Resolution No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE NATIVE POPULATION IN HAWAII AS IT PERTAINS TO BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1110, returning House Concurrent Resolution No. 167, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO RELEASE LAND FOR CIVILIAN HOUSING," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1111, returning House Concurrent Resolution No. 174, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT CONGRESS PASS LEGISLATION WHICH PROVIDES REDRESS AND REPARATIONS FOR AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY AND ALASKAN ALEUTS WHO WERE SUBJECTED TO FORCED EVACUATION AND INCARCERATION IN DETENTION CAMPS DURING WORLD WAR II," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1112, returning House Concurrent Resolution No. 175, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING JAPAN TO RESPECT THE SPIRIT OF THE INTERNATIONAL WHALING COMMISSION'S BAN ON COMMERCIAL WHALING," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1113, returning House Concurrent Resolution No. 178, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JOINT USE OF MAKUA VALLEY LANDS FOR AGRICULTURAL PURPOSES BY NATIVE HAWAIIANS AND THE GENERAL PUBLIC," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1114, returning House Concurrent Resolution No. 179, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

JOINT USE OF LUALUALEI LANDS FOR AGRICULTURAL PURPOSES BY NATIVE HAWAIIANS AND THE GENERAL PUBLIC," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1115, returning House Concurrent Resolution No. 183, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO COORDINATE AID TO THE WAIANAE COAST AREA," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1116, returning House Concurrent Resolution No. 191, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO STUDY THE FEASIBILITY OF ESTABLISHING A TOURING PERFORMING ARTS COMPANY AS A PERMANENT STATE PROGRAM TO SERVE AS A PROMOTIONAL SHOWCASE FOR THE NATIVE HAWAIIAN HERITAGE OF THE STATE OF HAWAII," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1117, returning House Concurrent Resolution No. 194, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR AMNESTY INTERNATIONAL'S APPEAL FOR HUMAN RIGHTS NOW," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1118, returning House Concurrent Resolution No. 205, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ADAPTIVE COMPUTER TECHNOLOGY EDUCATION CENTER," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1119, returning House Concurrent Resolution No. 207, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF AN ARTIFICIAL REEF ZONE FOR RESEARCH AND OTHER NON-CONSUMPTIVE USES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1120, returning House Concurrent Resolution No. 208, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF EXPANDING THE HAWAII OCEAN CENTER CONCEPT BY INCLUDING MAJOR OCEAN EXHIBITS AND DISPLAYS IN THE ACTUAL MARINE ENVIRONMENT," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1121, returning House Concurrent Resolution No. 211, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A HAWAII STATE OCEAN RANGERS PROGRAM," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1122, returning House Concurrent Resolution No. 213, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT STATE LAND BE RESERVED FOR THE FUTURE USE OF THE UNIVERSITY OF HAWAII AT HILO FOR RESEARCH AND RELATED PURPOSES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1123, returning House Concurrent Resolution No. 222, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF DESIGNATING A

PARTICULAR STATE AGENCY TO PROVIDE VIDEO PRODUCTION SERVICES FOR ALL STATE AGENCIES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1124, returning House Concurrent Resolution No. 224, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE HAWAII LIFE AND DISABILITY INSURANCE GUARANTY ASSOCIATION," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1125, returning House Concurrent Resolution No. 235, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO ENACT LEGISLATION PROVIDING AFDC RECIPIENTS OPPORTUNITIES TO ACHIEVE ECONOMIC SELF-SUFFICIENCY THROUGH WELFARE REFORM," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1126, returning House Concurrent Resolution No. 238, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION PROTESTING THE JAPANESE PRACTICE OF FINGERPRINTING ALL FOREIGNERS AND MINORITY RESIDENTS OF JAPAN," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1127, returning House Concurrent Resolution No. 240, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NEED TO REGULATE HOSPICE CARE PROGRAMS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1128, returning House Concurrent Resolution No. 241, entitled: "HOUSE CONCURRENT RESOLUTION URGING CAUTION IN THE ADOPTION OF LOCAL MEASURED SERVICE FOR PRICING LOCAL TELEPHONE CALLS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1129, returning House Concurrent Resolution No. 242, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN AUDIT OF THE PUBLIC UTILITIES COMMISSION," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1130, returning House Concurrent Resolution No. 243, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THE NOMINATION OF KEALAKEKUA BAY STATE HISTORICAL PARK TO THE WORLD HERITAGE LIST," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1131, returning House Concurrent Resolution No. 244, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CANCELLATION AND REFUSAL TO RENEW HOMEOWNER'S INSURANCE POLICIES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1132, returning House Concurrent Resolution No. 257, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAIIAN LANGUAGE NEEDS FOR THE MOST EFFECTIVE MEANS OF PRESERVATION," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1133, returning House Concurrent Resolution No. 261, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING AN INTEGRATED SCENIC SHORELINE PARK IN EAST OAHU EXTENDING FROM KOKO HEAD TO MAKAPUU POINT," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1134, returning House Concurrent Resolution No. 267, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO STUDY HOW IT MAY FURTHER SUPPORT THE HAWAII FASHION INDUSTRY," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1135, returning House Concurrent Resolution No. 274, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO REPORT ON THE MEANS AND COST OF CONDUCTING A FEASIBILITY STUDY TO ESTABLISH A TARO PROCESSING PLANT ON THE ISLANDS OF KAUAI AND MAUI," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1136, returning House Concurrent Resolution No. 275, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES ADOPT RULES CONTROLLING 'O'OPU FISHING," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1137, returning House Concurrent Resolution No. 288, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND WAYS TO MONITOR AND ENFORCE THE LAW THAT PROHIBITS THE TAKING OF STONY CORAL," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1138, returning House Concurrent Resolution No. 291, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TAKE APPROPRIATE MEASURES TO MANAGE AND TO CONSERVE TROPICAL FISH RESOURCES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1139, returning House Concurrent Resolution No. 294, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT AND ADVANCE HAWAII'S 1990 HEALTH OBJECTIVES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1140, returning House Concurrent Resolution No. 301, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONSIDERATION OF REQUIRING CABLE OPERATORS TO PROVIDE AID TO NONPROFIT GROUPS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1141, returning House Concurrent Resolution No. 305, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON SPECULATION IN HAWAII REAL ESTATE TRANSACTIONS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1142, returning House Concurrent Resolution No. 311, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO COMPLETE THE FEASIBILITY STUDY ON PRACTICING SUBSISTENCE LIFESTYLES IN HAWAII BY INITIATING AND USING THE MOLOKAI EXPERIENCE AS A BASIS FOR DEVELOPING STATEWIDE POLICIES ON TRADITIONAL SUBSISTENCE ACTIVITIES," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1143, returning House Concurrent Resolution No. 319, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL 17-23 AS VICTIMS' RIGHTS WEEK IN HAWAII," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1144, returning House Concurrent Resolution No. 324, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT OF THE TORT REFORM MEASURES ENACTED IN 1986," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1145, returning House Concurrent Resolution No. 326, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE COMMERCIAL DEVELOPMENT OF THE AREA ADJACENT TO THE UNIVERSITY OF HAWAII AT HILO," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1146, returning House Concurrent Resolution No. 330, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH PRIVATE INDUSTRY TO UTILIZE COST EFFICIENT LABORATORY TESTING SERVICES AND DETERMINE PROCEDURES TO CONFIRM POSITIVE PESTICIDE RESULTS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1147, returning House Concurrent Resolution No. 332, entitled: "HOUSE CONCURRENT RESOLUTION URGING NATIONAL COOPERATION IN ADDRESSING NONPOINT SOURCE WATER POLLUTION PROBLEMS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1148, returning House Concurrent Resolution No. 338, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS AND THE SECURITIES EXCHANGE COMMISSION TO EXCLUDE RESALE OF CONDOMINIUM APARTMENTS FROM SECURITIES LAWS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1149, returning House Concurrent Resolution No. 346, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO CHILDREN AND YOUTH," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1150, returning House Concurrent Resolution No. 351, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES AIR FORCE TO REPAIR AND REPLACE BRIDGES AND TO CONSTRUCT JETTIES AT BELLOWS AIR FORCE STATION IN SUCH A MANNER AS TO REDUCE THE POSSIBILITY OF FLOODING IN WAIMANALO, OAHU," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1151, returning House Concurrent Resolution No. 356, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUING SUPPORT OF LEGISLATION AND OTHER PROGRAMS TO HELP CONTROL THE PLASTIC AND NET POLLUTION OF OUR OCEANS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1152, returning House Concurrent Resolution No. 369, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF AN ACTION PLAN TO ASSIST MOLOAA PAPAYA FARMERS," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1153, returning House Concurrent Resolution No. 384, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND PROMOTING THE USE OF NATIVE PLANTS IN LANDSCAPING," which was adopted by the Senate on April 26, 1988.

Sen. Com. No. 1154, returning House Concurrent Resolution No. 169, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE DEVELOPMENT OF LUALUALEI TUNNEL WATER FOR USE BY WAIANAE FARMERS," which was adopted by the Senate on April 26, 1988.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS

H.R. No. 488, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING WILLIAM W. STAUNTON," was offered by Representative Kihano and was read by the Clerk.

On motion by Representative Okamura, seconded by Representative Apo and carried, H.R. No. 488 was adopted.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 141-88 on S.B. No. 3178, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 142-88 on S.B. No. 3401, SD 1, HD 1, CD 1:

On motion by Representative Crozier, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.B. No. 3401, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

Conf. Com. Rep. No. 143-88 on S.B. No. 118, SD 2, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 118, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A JUVENILE JUSTICE INFORMATION SYSTEM," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. Nos. 3401 and 118 had passed Final Reading at 12:17 o'clock p.m.

Conf. Com. Rep. No. 144-88 on S.B. No. 112, SD 1, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 112, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. No. 112 had passed Final Reading at 12:18 o'clock p.m.

At 12:19 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

Conf. Com. Rep. No. 147-88 on S.B. No. 2451, SD 2, HD 1, CD 1:

On motion by Representative Takamine, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 2451, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCIDENTAL INJURY LEAVE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

Conf. Com. Rep. No. 148-88 on S.B. No. 1725, SD 1, HD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 1725, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. Nos. 2451 and 1725 had passed Final Reading at 12:24 o'clock p.m.

Conf. Com. Rep. No. 149-88 on S.B. No. 2744, SD 2, HD 2, CD 1:

Representative Levin moved that the report of the Committee be adopted and S.B. No. 2744, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

Representative Say then rose to speak in favor of the bill, with reservations, stating:

"When this particular cultural park and the leases are agreed upon by the Land Board, that these particular leases of the provision was stated very clearly that those

residents who are on right now and not their families will be able to continue on and living in the park. I believe, in caucus, my concern was that this is supposed to be open to all. It is going to be a housing loan project and I was telling our Majority Floor Leader that the concern I had was that if we are developing a cultural living park, this park should be a place where all Hawaiian residents, native Hawaiians, and part Hawaiians should be given the opportunity of leasing properties within that valley. And it is with those reservations, Mr. Speaker, that I am concerned about.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2744, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

Conf. Com. Rep. No. 150-88 on H.B. No. 2068, HD 1, SD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 2068, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A METHANOL-FROM-BIOMASS PROGRAM," having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Anderson and Liu voting no, and Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. No. 2744 and H.B. No. 2068 had passed Final Reading at 12:25 o'clock p.m.

Conf. Com. Rep. No. 151-88 on H.B. No. 2974, HD 1, SD 1, CD 1:

On motion by Representative Levin, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 2974, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Anderson voting no, and Representative Cavasso being excused.

The Chair directed the Clerk to note that H.B. No. 2974 had passed Final Reading at 12:26 o'clock p.m.

Conf. Com. Rep. No. 152-88 on S.B. No. 2332, SD 1, HD 1, CD 1:

On motion by Representative Metcalf, seconded by Representative Bellinger and carried, the report of the Committee was adopted and S.B. No. 2332, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING OF AN EDUCATIONAL WORKER," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. No. 2332 had passed Final Reading at 12:27 o'clock p.m.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken on April 26, 1988, in recommitting Conf. Com. Rep. No. 71-88 and S.B. No. 3222, SD 1, HD 1, CD 1, seconded by Representative Anderson and carried.

Representative Apo moved that Conf. Com. Rep. No. 71-88 be adopted and S.B. No. 3222, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Liu then rose to speak in favor of the bill, stating:

"Just by way of explanation for the benefit of my caucus members who I haven't had a chance to touch bases with, I believe that this is just a procedural vote. All Republicans voted aye the first time around. It's a good bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3222, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Cavasso being excused.

The Chair directed the Clerk to note that S.B. No. 3222 had passed Final Reading at 12:32 o'clock p.m.

The Chair then stated:

"Before calling the House into recess, I would like to extend to Mr. Bill Staunton from the members of the House our personal mahalo to his wife and his family for offering us the kind of service that you've been giving us all these years that I've been a member of this House and I sure appreciate all you've done for us, the courtesies that you've given us, and we hope that your move to the mainland with your children will give you many, many more years of happiness.

"Before we recess, I would like the members of the House to give Bill Staunton a round of applause--a standing ovation.

"Thank you very much, Bill."

At 12:35 o'clock p.m., the House of Representatives stood in recess until 2:30 o'clock p.m. this afternoon.

AFTERNOON SESSION

The House of Representatives reconvened at 3:20 o'clock p.m.

The Chair then directed the Clerk to note the presence of Representative Cavasso.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Anderson and carried, the rules were suspended for the purpose of considering certain bills and resolutions out of order, seconded by Representative Anderson and carried.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1613-88 on S.C.R. No. 238:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.C.R. No. 238, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE STATE TOURISM OFFICE, DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT," was adopted.

Stand. Com. Rep. No. 1614-88 on H.R. No. 323, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.R. No. 323, HD 1, be adopted, seconded by Representative Anderson.

Representative Shon rose to speak in favor of the resolution, stating:

"Mr. Speaker, I think that this is the final piece of legislative business to emerge from your Committee on Health during the Fourteenth legislative session. It is fitting that we should end in support of our nurses for they are glue that holds our health care system together. I would like to put this resolution in some perspective.

"In the last two years, we have enacted a major bill of rights for the disabled, we have committed ourselves to building a new State hospital and a new laboratory, we have encouraged the rehabilitation and the reorganization of the Department of Health, and we've streamlined the certificate of need process, and we have not ducked the hard issues, Mr. Speaker. We've tackled one of the most frightening and complex challenges to any society--the AIDS epidemic.

"In 1900, our response to an epidemic was to burn down the city. We have alternatives today, Mr. Speaker, and I believe that we have provided both balance policies and significant funding and in the process, we set the stage for needed reforms for the health care system. We've tackled the sometimes thankless job of reevaluating and examining the potential development of a trauma system for Hawaii with its potential to save lives. And we have not flinched from our responsibility to subject ourselves to 8-1/2 hours of testimony on fluoridation. And we were willing, Mr. Speaker, to acknowledge that in the end, our people were simply not ready to accept it.

"Mr. Speaker, perhaps one of the most significant areas of action has been in the area of disease prevention and especially the area of smoking controls. It is the number one health problem in the United States and to have ducked this issue would have been irresponsible. In fact, I believe we have walked the road of reason and sensitivity to move our society towards a more healthful attitude towards oneself and towards one's neighbor.

"We have also confronted, perhaps the most important reality, for the health care in Hawaii and that is that we receive our health care through the medium of health insurance. Slowly, we have begun to readjust the emphasis in health insurance--the emphasis from treatment of the ill to prevention of illness and we are now on the road to developing our own capacity to analyze health insurance and the rates for their fairness and their reasonableness.

"In all these efforts, Mr. Speaker, we could not have accomplished anything without the continued efforts and support of the Vice Chairman of the Health Committee,

Representative Joe Leong. Representative Leong not only kept the paper moving but provided an excellent model for us all for every morning, as we were slowly rolling out of bed, Representative Leong was already on his daily walk around the Capitol. Joe, on behalf of all the committee in the House and all the people of Hawaii--Mahalo.

"I would also like to acknowledge the members of the Committee who sat through so many long hearings, some on Saturdays, some on Friday nights, and contributed so much to the legislation that we passed. And I must acknowledge the Chairman of Finance whose door was always open and who supported the priorities of the Committee.

"Mr. Speaker, a special thanks goes out to our Republican colleagues who, while sometimes in disagreement, chose not to make the health of our community a partisan issue. And I truly believe that the health package of these last two years is a bi-partisan effort.

"Mr. Speaker, the resolution we have before us today asks the fourth largest segment of Hawaii's economy--many of you might not have known that it is now fourth--huge industry, the health care industry, to take special note of the importance of our nurses and their compensation. We may dream grand dreams of the future, but without more people willing to enter nursing school, without more people willing to enter the profession after school and perhaps, more importantly, without more people willing to stay in the profession, we are in real trouble. It is the nurses that hold the future of health care in Hawaii and the United States. And I believe that such a future with nurses, with more health professionals, is held as we look at young women in the future who are going to make decisions on their diet to help the health of their as yet unborn children. The future is an employer who sees that her economic well being is inseparable from the personal well being of her employees and who promotes good health in the work place. The future is a supermarket whose social responsibility outshines the temptation to increase profits by peddling tobacco. The future is a family who freely chooses to care for an aging and frail grandparent, confident that their government can help with personal care and stipends for expenses. And the future is a teenage girl who is mature and strong enough to make responsible decisions about drugs, about sex, and about health, and who is supported by a peer group which has learned to take these issues seriously...

At this point, Representative Cavasso interrupted on a point of information and asked:

"Is the speaker addressing the resolution in question, Mr. Speaker?"

The Chair answered:

"Exactly. He is." and directed Representative Shon to continue:

Representative Shon thanked the Chair and continued his remarks, saying:

"And, Mr. Speaker, all these scenarios are dependent on the existence of a highly professional and highly satisfied nursing force.

"Mr. Speaker, there are those who believe that perhaps we have moved too quickly in the last couple of years but in the end, to wait another year does mean, I believe, that more would suffer and perhaps more would leave us prematurely.

"In the end, Mr. Speaker, our duties must be carried out with four conditions and these have been the standard that your Health Committee has held:

1. That we must be knowledgeable about what we do.
2. That we must truly care about it, both emotionally and intellectually.
3. That we must be willing to respond to needs for talk is cheap.
4. That we must respect the community and in Hawaii with our diversity, respect for different views is especially cherished.

"Mr. Speaker, these four elements--knowledge, caring, responding and respecting--are actually part of the definition I once read by one of the great philosophers. It was his definition of love. It is this kind of love which has guided your Committee and, Mr. Speaker, in the end, the love you take is equal to the love you make.

"Thank you."

Representative Metcalf rose to speak in favor of the resolution, stating:

"I would just like to observe that I knew this speech was coming all session. I just didn't know when."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 323, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEVELOPMENT OF AN EQUITABLE COMPENSATION PLAN FOR LOCAL NURSES IN HAWAII'S HOSPITALS," was adopted.

Representative Anderson then rose and stated:

"Mr. Speaker, on this page and the prior page and all the other pages with all resolutions, I would like to go now down on all of them rather than each and every one of them, and I would like to reiterate what I said last night, that it's the procedure, it's the amount of money that it cost the taxpayers. Last year, it cost us over \$300,000 for all of the resolutions that we put in and for that reason, I am going no.

"Thank you, Mr. Speaker."

At 3:29 o'clock p.m., Representative Crozier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:34 o'clock p.m.

Stand. Com. Rep. No. 1616-88 on H.R. No. 432, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 432, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A RECOMMENDED COURSE OF ACTION IN THE DEVELOPMENT OF OUTDOOR RECREATIONAL OPPORTUNITIES ALONG THE COASTAL REGION OF WEST HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1622-88 on H.R. No. 371, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the majority of the Committee was adopted and H.R. No. 371, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A PROGRAM FOR THE HAWAIIAN CREOLE (PIDGIN ENGLISH)-SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY," was adopted, with Representatives Anderson, Bunda, Hashimoto and Liu voting no.

Stand. Com. Rep. No. 1642-88 on H.R. No. 260, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 260, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF PROVIDING SPECIAL MOTOR VEHICLE LICENSE PLATES TO FORMER PRISONERS OF WAR, PEARL HARBOR SURVIVORS, MEDAL OF HONOR RECIPIENTS, DISABLED VETERANS, OR THEIR WIDOWS AND WIDOWERS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1643-88 on H.R. No. 142, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 142, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DEVELOP INCENTIVES ENCOURAGING THE ESTABLISHMENT OF PRIVATE SCHOOL BUS SYSTEMS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1644-88 on H.R. No. 237, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 237, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT A SUITABLE SITE BE FOUND FOR A LAUNCH RAMP FOR COMMERCIAL SMALL BOAT OPERATIONS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1645-88 on H.R. No. 317, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 317, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE IMPORTATION OF NON-DOMESTIC ANIMALS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1646-88 on S.C.R. No. 129, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EFFECTS OF REDUCING REGULATION OF PARATRANSIT SERVICES," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1647-88 on H.R. No. 178, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 178, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE MERITS AND BENEFITS OF A FOUR-DAY WORKWEEK FOR STATE EMPLOYEES," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1648-88 on S.C.R. No. 43:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONDUCT A FEASIBILITY STUDY ON RENTAL HOUSING," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1649-88 on S.C.R. No. 205:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INVESTIGATION AND RESOLUTION OF PROBLEMS AND ISSUES RELATING TO THE HAWAIIAN HOME LANDS TRUST UNDER THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED AND THE PUBLIC LAND TRUST UNDER ARTICLE XII, SECTION 4 OF THE HAWAII STATE CONSTITUTION," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1650-88 on S.C.R. No. 207:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF RULES TO GOVERN THE USE OF KULEANA IN CONSERVATION DISTRICTS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1651-88 on H.R. No. 422, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and notwithstanding the recommendation of the Committee, H.R. No. 422, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON FUNDING AND FINDING AN APPROPRIATE LOCATION FOR AN INTERACTIVE SCIENCE CENTER," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1652-88 on H.R. No. 435, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 435, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE PROGRESS OF THE FACULTY DEVELOPMENT AND IMPROVEMENT IN TEACHING PROGRAM AT THE UNIVERSITY OF HAWAII CENTER FOR TEACHING EXCELLENCE," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1653-88 on H.R. No. 457, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 457, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO DEVELOP AN APPROPRIATE PLAN TO RECOGNIZE MACKAY YANAGISAWA'S CONTRIBUTIONS TO THE STATE OF HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1654-88 on S.C.R. No. 86, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 86, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING CHILD CARE CENTERS THROUGHOUT THE UNIVERSITY OF HAWAII CAMPUSES," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1655-88 on S.C.R. No. 185:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH THE FAMILY COMMUNITY LEADERSHIP PROGRAM AS A PERMANENT PROGRAM," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1656-88 on S.C.R. No. 93:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO STUDY THE FEASIBILITY OF RESTRUCTURING THE GOVERNANCE OF HAWAII'S POST SECONDARY EDUCATION SYSTEM," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1657-88 on S.C.R. No. 177, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 17, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO MEET STAFFING NEEDS IN HUMAN SERVICES DELIVERY," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1658-88 on S.C.R. No. 184, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 184, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT INITIAL ACTIONS BE TAKEN FOR THE ORGANIZATION OF A PEACE CONFERENCE IN HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1659-88 on S.C.R. No. 183, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO PROVIDE EXPERTISE AND ESTABLISH PROJECTS AND PROGRAMS OF MUTUAL BENEFIT TO THE UNIVERSITY AND THE ZOO," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1660-88 on S.C.R. No. 25:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING A PHARMACEUTICAL ASSISTANCE PROGRAM FOR THE ELDERLY," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1661-88 on S.C.R. No. 49:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 49, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY AND ACCESSIBILITY OF ADULT RESIDENTIAL CARE HOMES, INTERMEDIATE CARE, AND SKILLED NURSING BEDS FOR VETERANS THROUGHOUT THE STATE OF HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1662-88 on S.C.R. No. 154, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 154, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF CORRECTIONS TO ALLOW LOW-SECURITY RISK WARDS OF THE HAWAII YOUTH CORRECTIONAL FACILITY TO ASSIST THE SPECIAL OLYMPICS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1663-88 on S.C.R. No. 77:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A LONG-TERM CARE PLAN FOR HAWAII'S OLDER ADULTS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1664-88 on S.C.R. No. 168, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 168, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE IMPLEMENTATION OF ENHANCED 911 SYSTEMS TO SERVE EVERY ISLAND," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1665-88 on S.C.R. No. 216:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 216, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING

THE DEPARTMENT OF TAXATION CONDUCT A STUDY ON THE STATE'S TOBACCO TAX," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1666-88 on S.C.R. No. 3, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 3, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SHARING OF FINGERPRINT IDENTIFICATION INFORMATION THROUGH AUTOMATED FINGERPRINT INFORMATION SYSTEMS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1667-88 on S.C.R. No. 107, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 107, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ALTERNATIVE SENTENCES FOR INTRAFAMILY CHILD SEX OFFENDERS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1668-88 on S.C.R. No. 171, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ARMY CORPS OF ENGINEERS TO ASSESS THE CONDITION OF DRAINAGE SYSTEMS ON OAHU," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1669-88 on H.R. No. 386, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 386, HD 1, entitled: "HOUSE RESOLUTION CONCERNING THE ESTABLISHMENT OF A LIABILITY INSURANCE FUND FOR ADULT RESIDENTIAL CARE HOME OPERATORS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1670-88 on H.R. No. 368, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 368, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE ADEQUACY OF THE CURRENT LEVEL OF REGULATION OF THE HAWAII ROOFING INDUSTRY," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1671-88 on H.R. No. 255:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 255, entitled: "HOUSE RESOLUTION REQUESTING A COMPREHENSIVE EVALUATION OF THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1672-88 on H.R. No. 273, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 273, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF STATUTORILY MANDATING EMPLOYERS TO GRANT EMPLOYEES A PARENTAL OR FAMILY LEAVE," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1673-88 on H.R. No. 25, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 25, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF EMPLOYER-OFFERED CHILD CARE AS AN OPTIONAL PREPAID BENEFIT, PREPAID CHILD CARE AND LONG-TERM CARE BENEFIT OPTIONS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1674-88 on H.R. No. 246:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 246, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON COLLATERALIZATION REQUIREMENTS FOR DEPOSITS OF PUBLIC FUNDS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1675-88 on H.R. No. 320:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 320, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY OF RESIDENTIAL CARE, INTERMEDIATE CARE, AND SKILLED NURSING CARE FOR VETERANS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1676-88 on S.C.R. No. 57, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF CORRECTIONS," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1677-88 on S.C.R. No. 89, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 89, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN AUDIT OF THE PUBLIC UTILITIES COMMISSION," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1678-88 on S.C.R. No. 186, SD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 186, SD 1,

entitled: "SENATE CONCURRENT RESOLUTION URGING NEGOTIATION BETWEEN THE ARMED SERVICES AND HAWAII FINANCIAL INSTITUTIONS TO PROTECT CREDIT WORTHY MEMBERS OF THE ARMED FORCES FROM LOSS OF THEIR MOTOR VEHICLES," was adopted, with Representatives Anderson and Liu voting no.

At 3:35 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:36 o'clock p.m.

Stand. Com. Rep. No. 1679-88 on H.R. No. 461, HD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 461, HD 1, entitled: "HOUSE RESOLUTION URGING CONGRESS TO TAKE STEPS TO PROMOTE AND SUPPORT THE APPLICATION OF SATELLITE TECHNOLOGY IN THE FISHING INDUSTRY AND URGING CONGRESS TO RESTORE FEDERAL FUNDS TO THE REGIONAL AQUACULTURE CENTER PROGRAM OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND EXPAND MEMBERSHIP IN THE AQUACULTURE REGIONAL CENTER," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1680-88 on S.C.R. No. 32:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE SITES FOR RESEARCH AND TEACHING RELATED TO THE PRODUCTION OF MARINE ORGANISMS FOR COMMERCIAL PURPOSES," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1681-88 on S.C.R. No. 111:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT THE CODIFICATION OF THE FAIRNESS DOCTRINE," was adopted, with Representatives Anderson and Liu voting no.

Stand. Com. Rep. No. 1682-88 on H.R. No. 469:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 469, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ATTRACTING PROFESSIONAL SPORT TEAMS TO TRAIN IN HAWAII," was adopted, with Representatives Anderson and Liu voting no.

Conf. Com. Rep. No. 154-88 on S.B. No. 3264, SD 1, HD 1, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 3264, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 3264 had passed Final Reading at 3:38 o'clock p.m.

At 3:39 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:49 o'clock p.m.

Conf. Com. Rep. No. 156-88 on H.B. No. 3396, HD 1, SD 1, CD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 3396, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Cachola rose to speak in favor of the bill, stating:

"Mr. Speaker, in 1971, as an immigrant from the Philippines to Hawaii seeking new opportunities and a better way of life, I never imagined in all my wildest dreams that I would be in the eye of such an important and controversial issue such as the convention center.

"Today, the debate that began nearly four years ago will hopefully soon be over. Many did not believe that the Legislature could pull together and resolve this important and controversial issue this year.

"On March 7, 1988, I stated on the floor of this House that with the passage of this bill, we take a giant step forward in achieving the goal of a convention center for Hawaii. Today, we have the opportunity to achieve this goal by passing a landmark bill, House Bill 3396.

"The question of a convention center is a highly controversial and emotional one. I hope that those involved can put aside their emotions and move forward for the benefit of the State and the people of the State of Hawaii without feelings of animosity.

"I would like to assure the vendors, the public and my colleagues that the House and Senate conferees were and continue to be very sensitive to the concerns of the merchants. I have been working for a relocation plan since early February of 1988 with the visitor industry and later with the developer of the Market Place. Both of them agreed to help out.

"The issue of displacement and relocation of the merchants is one of the main points of our debates throughout the negotiation with the Senate. The bill requires the private developer to submit a relocation plan and to provide \$5-million to be spent for the temporary and permanent relocation of the merchants. The goodwill of the developer is even further exemplified by his commitment for an additional \$5-million for this purpose, bringing the total relocation package to \$10-million.

"One point that needs to be highlighted is the fact that if the State were to choose a site other than the International Market Place, that the developer would find another type of development for the Market Place and that the vendors would then be displaced without any recourse and the vendors will also be without the relocation assistance which is provided for in this bill.

"In addition, Mr. Speaker, the bill provides that vendors will have the first right of refusal on the retail space after completion of the center. I believe that the Legislature and the developer have been more than fair and sensitive in addressing the concerns of the merchants.

"The most important feature of this bill, Mr. Speaker, is the dedication of a 625,000 square feet of convention center facility at no cost to the State. While others sought ways to spend the State's surplus, the House Tourism Committee is finding ways to save by not using State funds to finance the convention center. Private funding to build the center will save the State approximately \$150- to \$200-million. Money saved can be used to fund other needed priority projects such as low-cost housing, education, health, human services and other worthwhile programs. With the center, we will be able to bring quality tourists and much needed revenue to the State without depending heavily on an increasing number of tourists. I believe that with this convention center, Hawaii will be able to compete with our competitors on the mainland and in the Pacific. I do not want to expound on the merits of a convention center in Hawaii as they have been greatly debated for the past two years.

"However, at this time, I would like to thank all the members of this House and the House Tourism Committee for their assistance and encouragement, particularly I would like to thank the House conferees on House Bill 3396; namely, Chairman Joe Souki, Representative Ezra Kanoho, Representative Roland Kotani, Representative Hal Jones for all their hard work and support. I am deeply honored to have sat side by side with these gentlemen throughout the negotiations.

"I would also like to thank the House leadership, especially you, Mr. Speaker, for believing in me.

"I am also very grateful to the Majority Attorney's Office, particularly Jim Funaki, and the Majority Research Office for their assistance during the session.

"Lastly, I thank my staff for their hard work during the session amidst an atmosphere of fear and tension, especially during the last few days. In addition, Mr. Speaker, I would like to thank Senator Holt for his willingness to accept the House position and to see the merits of the convention center built with private funds. I know it is difficult to change a position the way he did for his stand on the convention center, I tip my hat to him and consider him to be more of a statesman rather than a politician.

"Finally, Mr. Speaker, it is for these reasons that I rise to speak in favor of the bill and I urge all my colleagues to please vote 'yes' on this bill.

"Thank you."

Representative Hayes rose and stated:

"Mr. Speaker, I rise to speak in protest of this bill.

"Like most of those who realized with shock that International Market Place had been selected, that it was actually being proposed that this size 9-1/2 foot be squeezed into a 4-1/2 shoe, that a decision affecting the lives and livelihood of some 500 families were to be trampled on, I left the Capitol Friday night feeling sick to my stomach.

"In this era of open decisions, openly arrived at, the decision seem to have been made in secret. We ask, why? But the answers are too glib. There was no dialogue with the people most closely involved--the merchants. There was no dialogue with the people who live in Waikiki or the people who represent them. There was no convincing dialogue regarding the Aloha Motors site with its street access from three sides and twice the space available at the International Market Place. Surely,

this site is more accessible than the one at the Ala Wai Golf Course.

"When I first recommended the Aloha Motors site in 1986, everyone said, 'Oh, it's not nearly big enough. We need one twice the size of that.' And now the selection has been made for one half the size of that.

"We heard that the Aloha Motors site owners could guarantee that the convention center they would build would be completely free. But it's hard not to believe that the International Market Place builders of a convention center won't discover in mid construction that they need more sewer access, more water, or other infrastructure things to make their center complete--something that the City or State would have to pay.

"The material we received from the Magoon Properties was persuasive in its suggestion that the convention center could be built in increments without leveling the entire site. The communication most of us have had from the City Council pointed out that the 400-foot limit proposed for an area which is zoned for 280-feet amounts to spot zoning and they think may be challengeable in court.

"Those of us who were outsiders who had to depend on the newspaper for our information found it easy to believe, based on what we saw and what we read, that the decision was made, the Committee Report prepared, perhaps even signed, and then the conference discussion put on for show.

"I hope that any of my colleagues who have doubts as to the wisdom of this will join me in voting no on this bill.

"Thank you."

Representative Kanohe rose to speak in favor of the bill, stating:

"Mr. Speaker, I commend Tourism Chairman Cachola for his efforts in securing for the State a convention center without the use of public funds, at a place convenient for conventioners, and without incurring the kind of traffic and transportation problems which other sites would create.

"His concern for the merchants is clearly evident by his ability to receive a commitment from the developers for \$5-million towards transition and relocation costs.

"Finally, I congratulate Representative Cachola for his skills over the negotiating table and for his overall statesmanship.

"I urge all of you to support this measure.

"Thank you very much."

Representative Kotani rose to speak in favor of the bill, stating:

"Mr. Speaker, I have prepared some written remarks that I would like to have inserted in the Journal and I would like to add a few comments."

"The Chair 'so ordered,' and directed Representative Kotani to 'proceed.'"

Representative Kotani continued:

"First, a few words in rebuttal to the statements that were made against the selection of the site.

"During the Committee's deliberation, Magoon Estate which had been agreed to by the House and the Senate as a possible site provided the Committee with no specific proposal. Representatives of the landowners of the Aloha Motors site offered no solution to the transportation problem and requested unspecified concessions from the State. For the Committee, I believe it was a choice between International Market Place and no convention center.

"But the reason I rise to speak on this measure, Mr. Speaker, is that I believe that the so-called 'near riot' that occurred after the Conference Committee meeting on Friday evening has resulted in a great deal of unfair and one-sided criticism of the Korean community.

"But who is to blame? Should we blame people who felt that their livelihoods were threatened by a broken promise, or should we blame a negotiating process that relies on posturing to outmaneuver the other legislative body and a game of brinksmanship that allows decisions on important bills to be made in the eleventh hour? Should we blame people who do not understand English well, not to mention the difficult language of politics, or should we blame a convoluted and complex legislative process that we ourselves, not to mention longtime residents, often do not understand? Should we blame people who have recently settled in our islands and do not know who to turn for help, or should we blame a political process that all too often fails to reach out to those in our society who need the most assistance? As a member of the Legislature and as one of the House conferees on this issue, I accept my share of the responsibility for the unfortunate incident that occurred Friday evening. Let us seek to ensure that such a terrible breakdown in communication never happens again.

"As for the concerns of the tenants who would be affected, it should be noted, as Representative Cachola stated, that without the convention center development, the ground rent renegotiation scheduled for 1995 would have probably resulted in the eviction of the current tenants without compensation or assistance.

"Thus, the development of a convention center at the International Market Place could well prove to be in the best long-term interests of the merchants. The provisions in the conference draft of House Bill 3396 relating to relocation assistance and the holding off of groundbreaking until no earlier than July 1, 1989, are attempts to ensure that this will be the case.

"Finally, I express my hope that the Governor and the other officials responsible for the selection of the members of the Authority and the Relocation Task Force will ensure that the members of the Central Merchants' Association of Waikiki and other affected parties are represented. We should make use of the period before the next legislative session to ensure that we have established a more constructive atmosphere of dialogue, compromise and cooperation.

"Although Chairman Cachola has done yeoman work, the selection of the convention center site has not been easy and the mere selection of the site will not end the controversy.

"I ask the people of Hawaii to extend their Aloha to those who will be affected by the convention center and to make every effort to understand the situation of recent newcomers to our community.

"Thank you, Mr. Speaker."

Representative Kotani's remaining remarks are as follows:

"First, this bill requires that the developer contribute \$5,000,000 to pay for some of the costs of relocations. Yesterday, the developer agreed to add another \$5,000,000, for a total contribution of \$10,000,000 or an average of more than \$25,000 per merchant tenant.

"Second, the bill gives every displaced merchant the right of first refusal to lease space within the new convention center site. The developer has promised to maintain the unique atmosphere of the current International Market Place as an integral part of the convention center development.

"Third, the bill requires the developer to submit a relocation plan and establishes a relocation task force which will include representatives of government and the private sector. Acceptance of the relocation plan by the Authority will be a condition of the right to develop the convention center site.

"Fourthly, the bill provides that groundbreaking for the development will not occur before July 1, 1989. This means that the 1989 Legislature will be allowed to give further consideration to the issues associated with relocation of the current tenants of the Market Place during the period of construction.

"Finally, I express my hope that the Governor and the other officials responsible for the selection of the members of the Authority and the Relocation Task Force will ensure that the members of the Central Merchants Association of Waikiki and other affected parties are represented. We should make use of the period before the next legislative session to establish a more constructive atmosphere of dialogue, compromise and cooperation.

"Although Chairman Cachola has done yeoman work, the selection of the convention center site has not been easy. And the mere selection of a site will not end the controversy. I ask the people of Hawaii to extend their Aloha to those who will be affected by the convention center, and to make every effort to understand the situation of recent newcomers to our community.

"Thank you, Mr. Speaker."

Representative O'Kieffe rose to speak in favor of the bill, stating:

"Mr. Speaker and fellow colleagues, I have been extremely agitated since the near riot on Friday night. I became more agitated when during the wrestling side arms could have been stolen which could have caused some real bloodshed. I became more agitated when I learned of threats to kill Representative Cachola. But when Monday came along and I was coming to work at 8:00 and I walked up the steps on the Queen's side and I saw our flag dragged on the ground, I reached the height of my agitation.

At this point, Representative Apo "reluctantly" rose to a point of order and said:

"The events of Friday night and the following day is not an issue before this body."

The Chair then asked Representative O'Kieffe to "keep your comments to the bill."

Representative O'Kieffe continued, stating:

"I am speaking to the bill, sir. I have some other comments to make. I will eliminate some then, please.

"We must not let ourselves be intimidated. I, more than ever before, support this measure because I cannot stand by to see our flag dragged, my colleague threatened. This bill must not be defeated because to do so will send a signal to others that this body can be defeated through intimidation. This bill must pass because democracy works.

"Thank you, Mr. Speaker."

Representative Crozier rose to speak in favor of the bill, stating:

"Mr. Speaker, first of all, I would like to thank Governor Waihee for recommending this location and to thank Representative Cachola for carrying the ball and convincing Senator Holt and the whole Senate to support the convention center at the Market Place. Also, when we vote, I hope we all support the measure.

"Mr. Speaker, this is an ongoing process. The Convention Park Council has been very involved in this throughout the whole process. The hotel industry has been involved quite a bit. I think it would behoove them to continue to participate and by participating, may I recommend that as we tried to find some relocation for the vendors from the International Market Place, maybe they can collectively take some of the vendors to their hotels. If they were dispersed across Waikiki, they would all be put in good locations and still have their income during that period while the convention center is being constructed.

"Mr. Speaker, if that alternative is not available, maybe the City and County, the Mayor, and the City Council can put a variance in for the three years of construction and allow the vendors to go on the streets like how they were a few years ago. There were many vendors out there, they cleaned it up, they should not be out there but for this period of time, to show compassion for our vendors, maybe they can make the exception.

"Thank you very much."

Representative Anderson rose to speak in favor of the bill, stating:

"Mr. Speaker, I would like to go over some of the former remarks by the Representative before Representative O'Kieffe.

"Our islands are made up of immigrants, Mr. Speaker. Most of us didn't know enough English to understand all of the laws and I am old enough to remember that when Kaiser built the Kaiser Dome, we were asked to leave or my friends were. And I can remember when the piggeries were asked to leave from Koko Head and those people didn't understand why the law said they had to leave. And not too long ago, I can remember when the Hawaiians were kicked off of Sand Island, Mr. Speaker, and they didn't know why the law said they had to leave. The senior citizens were kicked off, but let me tell you something, Mr. Speaker, they did not get any money for relocation.

"We are not happy about what happens but I don't like to sit here for the first time in my life, be intimidated, having my colleagues threatened, and for that reason if nothing else, I would have voted 'aye.' I think it is a shame that I have to worry about leaving here in early daytime rather than nighttime, when my family can phone me and say, 'Dad, you better watch what you're doing

because we're awfully frightened.' I don't like living like that and I don't intend to, and I am going to vote 'aye,' Mr. Speaker."

Representative Hagino rose to speak in favor of the bill, stating:

"Like many others, I was not a participant in this affair since I did not sit on the Tourism Committee, but I was able to watch Representative Cachola for the past two years and he has done, as all the previous speakers have stated, a tremendous job, and I really congratulate him for his brilliance and courage for all these two years.

"I would also like to take the time to thank a few community groups who I think have participated in this process, especially thank the Citizens Convention Center Council who raised many issues during the interim between the sessions about the cost of the convention center, the amount of public funds that would have been used, and about the loss of public land such as the Ala Wai Golf Course. I think that they contributed much to the debate and I congratulate people like Jimmy Tanji, Dr. Jim Koshi, and George West and others who have raised the debate within the community as well as contributed to the legislative process.

"I would like to point one bit of criticism before I close. When we ended the session last year, we were criticized heavily by the newspapers, especially this House, for being indecisive. We said that more study was needed and during the interim, this body, under your leadership, Mr. Speaker, did do the kind of interim session work that was required to produce this final product that now lies before us. I find it hard to believe that one of the newspapers now states in its editorial page that perhaps more study is needed. I dislike this kind of inconsistency on the part of the media, especially the print media. I find it hard to believe that they would even make this kind of suggestion after all that we have been through.

"Like Representative Crozier and the other speakers, I call upon the hotel and tourist industry to extend their Aloha and compassion. This is the time that it is truly needed and to show that we welcome all peoples to our shores--immigrants and visitors alike--and that this display of Aloha be demonstrated in a very real way and they contribute, in addition to what has already been contributed by the developer in the sense of money and locations, to these vendors.

"For all these reasons, Mr. Speaker, I call upon all our colleagues to support this bill.

"And one last comment. I have been accused last session, along with several others, that we had a so-called nimby mentality--a not in my backyard mentality. I just want to state for the record that newspapers never ask me why I oppose the Ala Wai Golf Course last year and I would like to assure all of you that had I been a Representative from Kalihi, I would have opposed the selection of the Ala Wai Gold Course. Had I been a Representative from Waianae, I would have opposed Fort DeRussy. Had I represented Maui, I would have opposed the Jefferson School site. Had I represented Kauai, I, too, would have opposed the Waikiki Zoo site. And I think the press should inquire from those of us who may have had opposition in the past as to our basis for justifying our position. Now, I think, after a long hard work, I join with all of you in supporting our Tourism Chairman for the fine work he has done and we will vote in favor of this bill.

"Thank you."

Representative Bellinger then rose and stated:

"Mr. Speaker, it is with reluctance that I stand to speak in opposition of this bill.

"My concerns over the bill are in no way reflective of the hard work and conscientious effort that Representative Cachola has displayed nor do I condone if we should accept the type of activities that we have witnessed here in the last several days.

"The reasons that I am standing to speak against the bill are, prior to the session, the areas that we have been talking about for locating a convention center were those areas of DeRussy, the Ala Wai, Fort Armstrong, the Zoo, and Magic Island.

"Earlier this year, we had a new emphasis placed on looking at possibilities of the Magoon Estate, International Market Center, and then later on, the presence of the Aloha Motors site.

"We have been focusing on the concept of a free convention center and there seems to be a great rush for us to come in and to make a decision of tremendous importance with tremendous long-range ramifications without a great deal of very specific detailed and hard facts. We have not seen any sort of a detailed financial analysis and what would actually be involved with this. We have not been informed of any kind of an idea of what is involved with the construction, the types of interference in the community that is going to be displayed there, the demands on our transportation system--whether it be through the transporting of visitors or the transporting of services into the convention center area. We don't know the types of effects it is going to have on our water and sewer systems. There's not been any type of a detailed analysis on the types of social impacts that we're looking at here or at any other site. We've been told that we're going to be getting a free convention center, yet within two years after it is in operation, the operation of the convention center or the convention center itself will be turned over to the State. I don't think that we're in the convention center business. I am concerned that there is a lot of hidden costs in operating a convention center that once it is turned over to the State that we're totally unaware of.

"And, Mr. Speaker, there is also concerns in terms of this Convention Center Authority. This appears to be an Authority with almost unlimited power. If we look in the bill on page 14, it says that 'Whenever possible, the convention center development plans shall be consistent with federal, state, and county plans.' But the 'power to supersede all inconsistent ordinances and rules relating to the use, zoning, planning, and development of land and construction.'

"Any objections can all be set aside. Obviously, there is going to be no hesitation to use this because on the previous page, on page 13 of the bill, the very first issue of criteria for the convention center is to establishing a maximum 400 feet high height limit. Basically, what we are doing here is we are saying that all of the planning, all of the concerns that have gone into looking at Waikiki are basically going to be thrown out the window.

"I believe that the more prudent approach should be for us to create a Convention Center Authority with limited powers, one that would be able to accept some detailed proposals from a number of developers with sufficient time to allow us to receive some very hard concrete evidence to make a decision on rather than to be caught up in the emotional aspects of we've been delaying, can't we make up our mind. You know, when we make up our

minds on decisions of this magnitude, we better have solid substance to make up our minds.

"The impacts that a convention center site is going to have on our community are going to be very great and I am just afraid that the matters by which we've tried to reach a decision have not been done in the most responsible manners.

"For these reasons, Mr. Speaker, I am voting no.

"Thank you."

Representative Hemmings rose to speak in favor of the bill, stating:

"I think all sides of the issue have been fairly aired and in the interest of efficiency which we Republicans are certainly in favor of, I would like to have my comments inserted into the Journal and for the record, especially to Representative Hagino, I hope that my support of this effort will prove, at least to him, that I am not a nimby.

"Thank you, Mr. Speaker."

Representative Hemmings' remarks are as follows:

"The tourist industry is the number one business in Hawaii. The industry is the largest source of tax revenue and is the biggest employer in the State. It makes common sense for a State that is in the visitor business to have a major convention center. Hawaii can have a multi-million dollar facility paid for by the private sector.

"A private sector owned and operated convention center would benefit the people of Hawaii in numerous ways:

"1. Taxpayers liability. A convention center on private land and paid for by the private sector would eliminate taxpayers liability. This has the potential to save taxpayers hundreds of millions of dollars.

"2. Centralized site eliminates commuting. A private sector convention center in Waikiki would preempt the need for vehicle commuting and/or more hotel rooms in another area. A convention center near the epicenter of Waikiki with 35,000 plus visitor accommodations would make walking the easiest way to get to the facilities. Contrary to propaganda being promoted by others, a convention center outside Waikiki would necessitate more vehicle commuting on our public roads. This would make an already bad situation worse. Secondly, proponents of an outside convention center site say it would be a catalyst for more hotel development. We do not need hotel rooms developing in other areas of Oahu.

"3. Quality versus quantity. A private sector convention center in Waikiki would promote more economic productivity of existing tourist resources. Statistically, conventioners spend approximately twice as much as free and independent visitors. The people of Waikiki and of Hawaii would be better off with fewer tourists spending less. A private sector convention center would help achieve that goal.

"4. Mass transit. A private sector convention center could be designed to be compatible with plans for mass transit, thus complimenting our City's efforts to solve the Honolulu traffic nightmare.

"5. Land use. A convention center would not use extremely valuable public lands. Lands for parks and schools should be preserved whenever possible.

"6. Economic stability. A private sector convention center would help maintain stability in Hawaii's economy. During uncertain economic times, people tend to cut back on travel and vacations. Conventions, however, are booked up to ten years in advance. These guaranteed visitors would ensure a more stable source of revenue for Hawaii's number one industry.

"We are fortunate that a site has been found where private developers will pay for a convention center. With this bill, the taxpayers win. After numerous studies and three years of delays, this bill is long overdue."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3396, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVENTION CENTER," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Bellinger and Hayes voting no.

The Chair directed the Clerk to note that H.B. No. 3396 had passed Final Reading at 4:18 o'clock p.m.

Conf. Com. Rep. No. 129-88 on S.B. No. 2298, SD 1, HD 2, CD 1:

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2298, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading.

At 4:19 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:45 o'clock p.m., Representative Okamura seconded the motion.

Representative Takamine then rose to speak in favor of the bill, stating:

"Mr. Speaker, I would like to take this opportunity to thank the members of the Labor and Public Employment Committee, the members of the Finance Committee and the members of the Conference Committee for their patience and their efforts which helped refine Senate Bill No. 2298 into its present form. Mr. Speaker, their efforts are particularly appreciated in light of the extensive and expensive campaign that has been waged to convince us that the \$10-million appropriation would be a waste of money.

"But perhaps, Mr. Speaker, money is at the very heart of this controversy--that is, more money that the insurance industry would like to see come its way. Mr. Speaker, the non-profit state fund by its non-profit nature and lower administrative costs would serve as a check on the insurance industry. By providing insurance policies at the lowest actuarially responsible price, it prevents artificial inflation of premium costs by other carriers.

"Mr. Speaker, the opponents of the non-profit state fund will argue that such funds have not prevented rate increases in other states. They cite states such as California and Minnesota. This is true, Mr. Speaker, rates have increased in these states. However, it is precisely when rates have been increasing that businesses have shifted towards the non-profit state funds. In California, rates have risen 46 percent in the past several years. However, it is during this time that the assets of the California fund has grown from less than \$2-billion to over \$3-billion. In Minnesota, while rates have increased, the fund has grown by some 243 percent during the previous year. This suggests that there is a

real economic benefit to these businesses that goes with the non-profit state funds.

"And when we look at our own history, Mr. Speaker, greed appears to raise its ugly head. In 1985, we were told by the insurance industry they needed a 39.7 percent increase to continue doing business in this state. This would have meant the business community paying \$70-million in additional premium payments. Despite the fact that no increase was allowed, we are told today that the industry indeed made money and that their profit ratio actually increased from 12.5 percent in 1984 to about 19 percent in 1985.

"In 1986, after the workers' compensation reform package was implemented, the insurance industry requested a 17 percent increase. After opposing the request and analyzing further data, the insurance commissioner ordered a 12.4 percent rollback. The difference between what was requested by the industry and what was ordered by the commissioner was \$60-million in additional payments that would have been imposed on the business community by the insurance industry. We are now informed that in 1986, the profit ratio for the insurance industry increased further from about 19 percent to 27.5 percent.

"In 1987, the story repeats itself. Though the industry for the first time voluntarily agreed to rolling back the rates by 12.4 percent, the insurance commissioner analyzed the data and ordered a larger 18.9 percent rollback.

"The question that our experience raises is one of credibility--the credibility of the insurance industry. These are the same people, Mr. Speaker, who, in 1985, told us that the workers' compensation reform package was 'shibai' and would not meaningfully reduce rates. Mr. Speaker, time has shown that the rates have rolled back by some 31.3 percent in only two years.

"The non-profit state fund is not a cure-all to reducing workers' compensation rates. But what it will do, Mr. Speaker, is inject integrity into the system.

"In addition, the non-profit state fund will serve as a data base so that we can more effectively monitor and analyze what is actually going on in the workers' compensation field.

"For these reasons, Mr. Speaker, I will be voting for the measure.

"Thank you."

Representative Kanoho rose to speak against the bill, stating:

"Mr. Speaker, through good leadership and direction, the House of Representatives of the Fourteenth Legislature will be proudly remembered in the annals of our history for its visionary initiatives touching upon every facet of our lives. Regrettably, Senate Bill 2298, SD 1, HD 2, will unnecessarily use public moneys to finance the state compensation and insurance fund and significantly detract from this great list of accomplishments.

"The establishment of an insurance agency funded by a state loan is totally unneeded for the following reasons: The state-funded entity will not achieve its intended goal of reducing workers' compensation rates because such rates are determined by the Insurance Commissioner and will apply to all workers' compensation carriers. Secondly, workers' compensation rates and premiums have decreased by 31.3 percent in the past two years and

are expected to drop by at least another ten to twenty percent as a result of continuing good experiences in workers' compensation costs.

"Workers' compensation costs have decreased because of successful accident prevention records by both employers and labor groups as well, appropriate controls and judgments by the Labor Department at both its hearing and appellate levels, by better follow-up and supervision on the part of employers and, more especially, by appropriate actions on the part of the Insurance Commissioner. The control of profits to reasonable levels must be a function of the Insurance Commissioner in the same manner that the Public Utilities Commission exerts its control over the public utility companies.

"All businesses, small and large, are violently opposed to this measure although the proponents of this bill indicate that it is intended to help business.

"The experiences of other states indicate that workers' compensation funds do not alone have any beneficial effect in workers' compensation rates. Moreover, in these states, available information indicates sharp increases even where monopolistic policies are enforced.

"Mr. Speaker, I am very deeply troubled by the fact that this fund will not be able to pay back the peoples' money in the committed ten-year period. It is a foregone conclusion that very little, if any amount, will be paid back in the initial years on the interest or principal. Furthermore, it is extremely unlikely that this fund will earn \$28-million in the next ten years so as to pay the approximate \$8-million in interest, the \$10-million payback on the principal, and another \$10-million to retain its base. Incidentally, this grave concern is shared by the foremost insurance authority in Hawaii. At best, financing this fund must be rated as a very poor business risk, a risk of public moneys that this Legislature should not take, considering the fact that this measure absolutely does not serve a public need.

"Additionally, Mr. Speaker, the business plan which had been submitted by the fund's consultant was rated to be very poor by the state's foremost insurance authority. I am further fearful of the fund's success because a qualified executor commensurate with prevailing salaries will be very difficult to find. Equally as important, experienced and knowledgeable workers' compensation adjusters are just not available. Of significance here is a vulnerability to bad faith lawsuits on the handling of workers' compensation cases which have already resulted in suits and judgments amounting to millions of dollars. One such suit could easily result in a knockdown from which the fund could not recover. The unavailability of experienced qualified workers' compensation adjusters will only mean that this needed capability must be contracted and a greater expense.

"Mr. Speaker and fellow colleagues, the success of our American economy lies in the free enterprise system with the involvement of government only in activities which cannot be supported by the private sector. The entry of government in the insurance industry is a violation of this principle and will result in unfair competition and a waste of valuable public resources.

"It must be noted that a state-funded workers' compensation agency may yield a higher dividend return. If so, it can only occur through securing good risks to help assure its initial success. This could only serve to negatively impact the privately funded carriers who would lose such good accounts. With all these factors weighing so heavily against the state-funded workers' compensation

carrier, I will be urging the members of this body to oppose its passage.

"Thank you, Mr. Speaker."

Representative O'Kieffe rose to speak against the bill, stating:

"In order that I don't have to kick the tires again, could the Clerk please include my comments of April 4th at second crossover in the Journal?"

"The Chair "so ordered."

Representative O'Kieffe's remarks are as follows:

"Mr. Speaker, I rise to speak against Senate Bill 2298. As we all know, many claims have been made to justify the implementation of a Hawaii workers' compensation fund. Proponents point to experiences in other states with state funds such as California, Ohio and Minnesota, as reasons why Hawaii should consider adopting a state fund as an appropriation vehicle to lower workers' compensation rates. With these persuasive arguments and over \$450-million in surplus tax monies sitting in state coffers, the \$10-million appropriated by this bill may seem both reasonable and attractive. However, before we buy this vehicle, I ask my colleagues to look at it a little closer, to kick the tires, look under the hood and get a full disclosure on the bill of sale before we write the check and drive it off the lot.

"First, let's have a look at claims that rates in California, Ohio and Minnesota have benefitted by having a state fund. In California, premiums have increased 41 percent since 1985 while benefits to injured workers have not increased since 1984. In Minnesota, despite starting a competitive state fund in 1982, workers' compensation rates have increased 60 percent and it now has the fourth highest rates in the nation, a dubious distinction, considering it was in 14th place four years ago. Ohio, which has a monopolistic state fund, requires employers to carry the state fund or be self-insured. This state has experienced a 30-50 percent increase in rates to compensate for a deficit of \$1.5-billion. The so-called 'success' of these experiences should be red flags to us all and give us pause to think.

"As to the claims that a state fund will induce competition to the market and thereby lower rates, please consider some significant facts belie this. There are already over 200 private insurers writing workers' compensation insurance in Hawaii and predictions based on the Minnesota experience estimate that at best Hawaii's state fund could write only \$20-million, or 8 percent, of the \$262-million workers' compensation market. Does this sound as if compensation is needed or will be provided?

"Doubts have also been raised by people such as Dr. John Haldi, the state's consultant on workers' compensation, as to whether the state has the necessary expertise and background in underwriting, claims handling, data processing and financial experience essential in undertaking this enterprise. If we look to the state's dismal past record in running other insurance ventures, these doubts are quite prudent. I'm sure we all remember the Thrift Guaranty Fund that required a \$30-million bailout from the state after going bankrupt. I think most of us can also recall the Patients' Compensation Fund that also went bankrupt and currently has \$20-million in outstanding liabilities.

"The fear that this \$10-million appropriation is only the beginning is quite real considering the state's prior

experience with Thrift Guaranty and Patients' Compensation Fund. Up to an estimated \$40-million may have been poured into the fund to ensure solvency, with the taxpayers of Hawaii footing both the financial burden and the risk.

"Under the circumstances, Mr. Speaker, I fear that a state fund is fiscally unwise and unwarranted. By providing for such a fund, we once again put ourselves in the position of avoiding the real issues--addressing those elements of workers' compensation that do not make it fair to workers, business owners, and insurance companies alike. I ask my colleagues to join me in voting against this bill. This is one vehicle we are not to buy."

Representative Hagino rose to speak in favor of the bill, stating:

"First of all, I would like to point out to the members of this body that what we have here today is merely a measure that funds the state-fund concept and program which has already been authorized by law several years ago. There are some people here who were not present in the 1985 Legislature although most of us were.

"In the 1985 Legislature, a very comprehensive workers' compensation compromise was worked out. That was House Bill 463. It went through a careful public hearing process, several amendments were made in the House, several amendments were made in the Senate. In a long, drawn-out Conference Committee, additional compromises were worked out.

"From the time that this bill passed, House Bill 463, which became part of Chapter 386 of the Hawaii Workers' Compensation Law, there were many who said that House Bill 463 would not work. Many of those advocates against the bill stated that the Haldi report which was prepared several months earlier should be adopted in total. Haldi's report, as printed by the Legislative Auditor, stated very clear and emphatically that if all of these proposals were accepted, there would be a 20 percent reduction in premiums. What we have seen happen since 1985 is that there has been a reduction of insurance premiums based on a renewal basis of over 30 percent. Therefore, the compromise of 1985 which many people had opposed, actually went further than Haldi had even anticipated. I can recall some of the words against the 1985 bill which again I remind you included the state fund proposal.

"Some Representatives got up on the floor and stated that 'House Bill 463 was just a tiny impetus step toward correcting the ills of the Hawaii's workers' compensation system,' and that was a direct quote. Others said, 'We were supposed to cut workers' compensation insurance rates. This bill won't do the job.' Others stated that 'we are weary of the topic and of the long hours of intense debate, but for all our sweat, blood and tears, the end product of our endeavor, in my opinion, is a disappointment.'

"And yet today, Mr. Speaker, in spite of all these words that was stated against the state fund and House Bill 463, one of the arguments that has been used against the measure that is before us is ironic in that the opponents are now stating that House Bill 463 is indeed a success, and because it is a success, because insurance rates have gone down, there is no need to fund the state fund program. I find that very ironic, almost hypocritical. Indeed, House Bill 463 has been a success thus far.

"I call the attention of all the members to review House Bill 463 and look at the ramifications in the entire

structure of that bill. Every facet of the workers' compensation system in Hawaii was reviewed and altered and in many ways changed drastically. There were changes made in the area of medical payments, vocational rehabilitation, there was a drastic change in the temporary total disability compensation. We are indeed the only state in the union that now has a three-day waiting period. We are one of the few states in the union that does not allow our workers an opportunity to recapture the lost three days if they are injured and out of work for more than a week.

"Other aspects that this bill touched included areas of the presumption. Now, many people have stated that the presumption was not touched. I call your attention to the fact that in House Bill 463, the final Conference Committee Report restated the legislative intent on the presumption. Since the enactment of that bill, I think many legal advocates in the workers' compensation system will tell you that simply the decisions are coming out differently. The Department of Labor has taken those words in the Standing Committee Report and has made a stricter interpretation of the presumption. And that is, I believe, on the basis of the committee report in House Bill 463.

"I would like to point out a few other things about House Bill 463, and it stated, I think, the real intent behind all of us who were there and all of the advocates and opponents to the bill stated the intent of the architects of this bill as what the purpose of the non-profit workers' compensation fund should be about. And I just want to read from the committee report: 'Your Committee is persuaded that a non-profit insurance fund would so compete in the marketplace with approximately 140 carriers who currently sell workers' compensation insurance in Hawaii at inflated rates is a meaningful alternative to the existing system of providing insurance. California, Arizona and other states established competitive state funds at the turn of the century when workers' compensation laws were first enacted in this country. The viability of these funds and their constructive role in keeping insurance rates at reasonable levels have been amply described by Jack Webb of California and Gerald Ecompti of Arizona. Open competition with a non-profit fund has attracted nearly 30 percent of the employer market in California. A great percentage of the insureds under the California fund are small businesses.'

"I would like to remind everyone that during the debate in 1985, these were the operators of the fund in Arizona and California and were invited to Hawaii and made various presentations. And these were not people who were merely actuaries or insurance consultants; these were the actual operators of the workers' compensation fund both in Arizona and California.

"Subsequent to the enactment in 1985, an additional state moved in the area of the state fund. This was Minnesota and this is the state that we have used as an example of what could be done in Hawaii in terms of workers' compensation insurance premiums.

"So, this is what I would like to present to all of you.

"Point number one, that the 1985 workers' compensation law was well thought out, well structured and included the state fund, and I believe that we are carrying out the intention of that law but funding of the state fund by a separate piece of legislation. I think the fund works, I think the 1985 law works, and I would caution against giving in to the nay-sayers and the doomsayers about the workers' compensation fund. I encourage all of you to vote in favor of this bill. I think

it would do much to ensure some stability in the insurance rates of workers' compensation in this state."

Representative Andrews then rose and requested that his remarks, against the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Andrews' remarks are as follows:

"Mr. Speaker, I rise to speak against Senate Bill 2298, SD 1, HD 2, CD 1.

"Mr. Speaker, when this House sent this bill back to the Senate a few weeks ago, I voted for this bill. A lot has happened since then. Enough has happened so I no longer feel I can support this bill.

"Mr. Speaker, a few weeks ago, I had concluded that because this bill was the result of cumulative efforts over a number of years of this House, Senate and administration--that the best way to ensure its success--that is the success of its implementation and the concepts that brought it forth, was for our body to give it our full support.

"Mr. Speaker, I have always felt uneasy about a Hawaii Workers' Compensation State Fund. I know the difficulties this state has had in administering other insurance funds; namely, the Hawaii Thrift Guaranty Fund and the Patients' Compensation Fund.

"I felt that if we were going to proceed with this fund, we should do it in unity and in cooperation with the administration to insure its possibilities for success.

"Well, Mr. Speaker, since our last vote on this matter, one of the players in the process--in fact the most important player--has jumped ship. The Governor, the very person who would ultimately be responsible for the administration of this fund, now says, 'This is the wrong fund, at the wrong time.'

"Mr. Speaker, with the administration no longer supporting this measure, thus bringing about questions as to the manner in which it will be implemented, only makes those past fears of the Hawaii Thrift Guaranty Fund and the Patients' Compensation Fund more real.

"Mr. Speaker, because of the administration's attitude on this measure, the possibility of it becoming another major liability and failure, are all the more real.

"Thus, Mr. Speaker, I cannot stand here today and support a measure on behalf of the people of Hawaii that is most certainly doomed to fail.

"Thank you, Mr. Speaker."

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, I was one of those nay-sayers in 1985 and I don't believe that my words have turned out to be hypocritical. I think much of the reform and much of the changes which have occurred in the administration of the law was because of those voices which were raised in 1985 to create a different atmosphere, a different environment in which the Department of Labor would enforce the various sections of the workers' compensation area. The prior speaker, I believe, understands that since he is a person who practices in this area of the law. Perhaps it is because of the new environment, some of those comments were made. I would have liked to hear

more from the prior speaker. I found his discussion very enlightening.

"Another speaker talked about integrity into the system. I cannot understand how the creation of another fund, a state-run insurance company, can add to the integrity of the system. If we need more integrity into the system, let's work to beef up further the Department of Labor, the Insurance Commissioner's Office, the staff that they still sorely need.

"Ten million dollars. We have another bill before us coming up which looks for money into a rental housing fund. Ten million dollars that we are giving to this insurance company I feel could be better used, at least in part, in that area if that is the major initiative of the Administration and of this House. I think the people of Hawaii would be much more appreciative of that type of expenditure than what we have here. Many on Third Reading on this bill in the House voted for and mentioned about all the new added protections that were put in the bill at that time to protect the state from liability. Well, lo and behold, as it's come back after Conference Committee, most of those protections are gone. I didn't believe in the language but even if I did, now they're gone. As we all know, most of those words can always be amended, even those which are left. Words to the effect that no more money will ever be appropriated to this fund. My God, we could come back next year, repeal that, amend the law, take that section out, and we could give it more money if it so asks.

"Repayment of the loan. Is it going to be done on an yearly basis? Quarterly basis? Every two years, every three years, every five years? Are we going to have to wait at the end of ten years and then maybe someone will introduce a measure to say, hey, we need an extension. The fund needs an extension. We'll give it another year. Everything is subject to change. Everything in this bill. And if it is not grounded in good common sense in the environment which we have today, it is beyond me that we are considering the measure.

"Language concerning Board membership has been removed. It's back to what the bill was originally. So those of us who had concerns over that can still have those concerns. By the wave of the magic pen of some creative attorneys, the loan for purposes of the insurance section is now a surplus, ergo, an asset--very interesting! I can see very well we're under the equal protection clause of the Constitution, both of this State and of our federal government. With some interest, we'll have standing to sue in terms of unequal treatment. I don't know of any other area where this Legislature, this state, has permitted by statute, a treat for a particular company or a particular entity set up by the state to have loans considered as a surplus and then later an asset. Surely, that's an unfair treatment of others in the area who are competing.

"Major, major flaws in this bill, Mr. Speaker. Major, major flaws in the concept of the state fund.

"Liability, liability on the part of the State. Yes, this is a corporation like Thrift Guaranty, like the Patients' Compensation Fund. What happens? What happens if mistakes are made in management? Won't we be ethically, morally liable to those in need? What type of expectations are we setting up for the working women and working men in the state if somehow, unintentionally, this fund goes bellyup. It will be tough for future legislators to say 'no.'

"Mr. Speaker, those of us who have been here for a number of years have seen the legislative process, time

and time again, talk about the need to go slow, the need to be cautious, the need to understand the issues thoroughly before we go forward. Time and time again, we have done so. We did so on the measure that we passed earlier, prior to this bill--four years for the convention center and I almost stood up then to congratulate this body for making a decision. I, for many years, have said we have been moving too slow, but we did come to a decision. We want to make comparisons, it's only been two years since 1985. We have at least another year.

"It's a sad day, Mr. Speaker, for this House. If we have the ability to deter us from taking this course, do not take the responsibility to say no. The overwhelming reaction in my district to a \$10-million state-run insurance company is negative. I believe the taxpayers in this instance and in most instances, as a whole, make the right decisions. That's why we're here. Ten million dollars, Mr. Speaker. Ten million dollars more--how many more millions in the future?

"Let's look at some other provisions in this bill, Mr. Speaker. It was discussed by a previous speaker the area of bad faith claims. Right now there are cases which have been filed based on a pattern of action, I would hope most legitimate, concerning the problems that beneficiaries might entail in collecting benefits. Those are some very, very important cases and we expose this insurance fund to those same types of cases. This year, we have just passed legislation in reforming the insurance code which reinforces the ability of persons who feel aggrieved by 'a pattern of action' in the area of benefits claims to file suit and to collect a tremendous amount of money in the event that they find problems in that area.

"The concern here is that it is not difficult when you are dealing with many thousands of claims to find such patterns of actions to justify some of these unfair practice claims. Sometimes it can take just two or three instances and a claim is filed. Is that the kind of cost, is that the type of defense that we want to set the state up to?"

At this point, the Chair interrupted and stated, "Time's up, Representative Liu."

Representative O'Kieffe yielded his ten minutes and Representative Liu continued his remarks, saying:

"Thank you, Mr. Speaker.

"I just wonder whether or not that is what we really want to do here. Every single organization that has a responsibility of employing individuals, of having to take care of the payroll in this state, has testified against this measure. I don't think that all those organizations support their insurance companies. I don't believe that all those individuals--small business people, the Mom and Pops who have come before us, who've called, who've written letters, are in collusion with the insurance companies. There's too much of that kind of talk going around the Legislature on this issue. Granted, insurance companies have a problem in this area. We see moves on the federal level concerning anti-trust laws, concerning collusion in other areas, or perhaps something might be discovered. But on this measure here today which we have before us, businesses, employers responsible for many peoples' livelihood in this state, have on their own come forward to say, 'This is a bad idea. This is not worthwhile for the people of Hawaii.'

"No doubt the vote will be close. No doubt there are divided opinions on this measure. But for those of you who are really undecided, I believe that it's always better to err on the side of caution because ultimately, it will

come back. As stated before on the floor of this House, quoting an athletic figure on a football game in the Superbowl: 'This is such a great game or the game to end all games. Why are we going to play another one next year? Same thing here. We are so concerned and if we have doubts, there's going to be another Legislature in 1989, there's going to be another session, another chance to take a look at it. This is one instance this session, or along with the convention center, where we can save taxpayers money. Let's take advantage of the chance. Let's have, if not the headlines, at least on A-3 saying, 'Legislature Takes Responsible Move, Kills State Funds.'

"I would like to hear other views on this subject, Mr. Speaker. I think it's worthy of discussion, I think it's a subject that the public should get a full hearing on this floor. So I urge all of my colleagues to vote 'no' on this measure. For those of you who have questions or other points of view, to let them be heard.

"Thank you, Mr. Speaker."

At 5:10 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:14 o'clock p.m.

Representative Marumoto rose to speak against the bill, stating:

"I think one of the chief testifiers in opposition to this bill was the Chamber of Commerce of Hawaii, and if I may be permitted to bring up some points in their testimony, I would be very happy to read their testimony.

"They provided us some background. They start: 'In 1985, the Legislature approved the concept of a state fund for workers' compensation insurance in Act 296. But the Act specifically required that the monies to put this state fund into operation would have to be appropriated by separate legislation.

'In 1986, the Legislature placed \$5-million into the state budget to make the state fund operational. Governor George Ariyoshi, however, believed that it was an inappropriate way to provide this funding and exercised his line-item veto on the appropriation.

'This year, the Senate passed S.B. 2298 on March 7 to appropriate \$10-million to put the state fund into operation. And it is this bill which is currently pending before us.

'The Chamber Brief will conclusively demonstrate why Hawaii does not need a workers' compensation state fund.

'Fact No. 1: A state fund won't lower workers' compensation insurance rates in Hawaii.

'Supporters of a state fund argue that the principal reason for a state fund is that it will lower rates for workers' comp insurance. Let's examine this claim.

'The California state fund is often spotlighted by state fund proponents as a good example of the beneficial effect that a state fund has on insurance rates. According to the Report of the Informational Conference on the Hawaii Workers' Compensation State Fund, prepared by David Butchart for the Legislature in December 1987, the California state fund is "a very large insurance operation ... and in 1986 grew to a market share of about 22%, earned premiums of \$1.04-billion, and paid policyholders dividends of \$187-million."

'With such an outstanding state fund, California employers should be thrilled. But they aren't. In an editorial of May 26, 1987, the San Francisco Examiner notes: "The runaway increases in workers' compensation insurance rates threaten jobs in California and imperil the success of businesses, especially small ones."

'In comparison, Hawaii--without a state fund--has actually experienced some rate decreases in the past several years. But our workers' compensation system is still in need of major reforms to significantly reduce rates. As recently as 1983, a report of the National Council of Compensation Insurance showed that Hawaii had the highest workers' comp rates in the nation.'

"And they have a graph which 'compares the workers' comp rate increases and decreases over the past dozen years in Hawaii and California. The graph shows that California workers' comp rates have been rising, even though they have a very successful state fund.'

"A case study in California shows that in 'January 1988 a special report of the California Chamber of Commerce states: "With employers' workers' compensation costs topping an estimated \$7-billion for 1987, the system has become one of the most costly social insurance programs funded by California employers."

'The report notes that California workers' comp costs have soared recently: "Since 1985, the state insurance commissioner has approved six semi-annual rate hikes at an average of 6.2 percent. Since 1985, premium increases have totaled 41 percent."

'Even more damaging for the state fund concept is this observation: "The bottom line is that employers' costs are spiraling and there is no end in sight. However, it is important to note that the cost increases are not going into increased benefits for injured workers. Benefits have not increased since 1984."

'These statements sound as though they could have come from one of our commentaries about Hawaii's workers' comp system. So what is driving up the workers' compensation costs in California?

* Permanent partial disability (PPD) claims filed in California are higher than any other state.

* Stress claims are being filed at a faster rate than any other type of claim and are the number one occupational disease in California.

* Litigation costs per case have increased by more than 300 percent since 1976.

* Vocational rehabilitation costs are more than 12 percent of benefit costs today, far more than the 3 percent projected when the California Legislature adopted a mandatory rehabilitation law in 1974.

'Despite the existence of a highly successful state fund, California employers are paying escalating workers' comp insurance rates and workers' benefits are not improving. As the San Francisco Examiner correctly observes: "Workers who receive really grave injuries on the job may be paying the price, in lower benefit levels, for a proliferation of new-type compensations. Others may pay the price in lost jobs as small and medium-size firms find these soaring premiums unaffordable and trim payrolls."

'Thus, the California Chamber of Commerce is seeking meaningful reform of their workers' comp laws to reduce rates, even though California has had a successful state fund for over 50 years. From California's experience, it

is clear that a state fund is not the answer to lowering workers' comp insurance rates. It attacks the symptom, not the real problem.

'Fact No. 2: No business group in Hawaii supports a state fund since it won't help business.

'Supporters of a state fund claim that it will help business in Hawaii. But who are the principal backers of a state fund? Labor unions. Why are unions so intent on having a state fund put into operation in Hawaii? Because they see it as a method of deferring any action on meaningful workers' comp reform for several sessions.

'On the other hand, these following business groups are just some of the organizations that oppose a state fund: Chamber of Commerce of Hawaii, Hawaii Business League, National Federation of Independent Business, Small Business Hawaii, Hawaii Island Chamber of Commerce, Japanese Chamber of Commerce and Industry, Maui Chamber of Commerce, and the Kauai Chamber of Commerce.

'It is more than mere coincidence that not a single business group in Hawaii endorses the idea of a state fund. Business groups don't support a state fund because it simply won't solve Hawaii's workers' comp problems.

'Fact No. 3: Most states don't have a state fund.

'Of all the states in the nation, 31 do not have state funds. Moreover, there is certainly no trend in establishing state funds. In fact, since 1933, only one state--Minnesota--has created a state fund.

'Clearly, the time for creating state funds has long passed. Nearly all state funds were established in conjunction with the adoption of state workers' compensation laws back at the turn of the century. At that time, benefits were extremely restricted by contemporary standards. Thus, state funds were able to begin operation, build a large surplus over the years, and enjoy substantial investment income. A Hawaii state fund, however, would not be able to build up such a reserve because today's workers' comp laws are much more liberal and costly.'

"There was a case study in Minnesota."

'Minnesota is the only state in the last 55 years to establish a state fund. Proponents of a state fund argue that the Minnesota state fund has had a positive effect on its workers' comp rates. But the facts don't substantiate their claim.

'In the late 1970s, Minnesota began an intensive examination of its workers' comp insurance in response to increased employers' complaints about the high cost of such insurance. Changes that were implemented in Minnesota were:

- * 1980 - Minnesota began schedule rating.
- * 1982 - The Minnesota state fund began operation but insured only public employers.
- * 1984 - Minnesota began competitive rating.
- * 1984 - Minnesota adopted a two-tier system of workers' comp benefits designed to provide incentives for employers to rehire injured workers.
- * 1984 - The Minnesota state fund began insuring private businesses.'

"There is a graph which 'clearly indicates, however, that Minnesota's rates have been steadily climbing ever since its state fund went into operation.'"

'According to a majority caucus staff memo for the Minnesota House of Representatives dated February 11, 1988, Minnesota's workers' comp rates are fourth highest in the nation. In 1984, its ranking was 14th. This indicates that Minnesota's experience has been getting relatively worse, despite the existence of a state fund during that time.

'On February 22, 1988, the Minnesota House Labor-Management Relations Committee passed a proposal that would force all employers--including self insurers--to buy their workers' compensation coverage from the state fund. This would transform the Minnesota state fund into a monopolistic fund, similar to Ohio's. And, as Ohio has demonstrated, that can lead to a whole new set of problems.

'Meanwhile, two reports--one by the Minnesota Legislative Auditor and the other by the Department of Labor and Industry--conclude that the changes passed in 1983 did not reduce the costs of the system. Both reports target the benefit levels as the main culprit for the high cost of Minnesota's systems.

'The message from Minnesota's experience is clear--its highly-touted state fund did not bring about any workers' comp rate decreases. Hawaii should not engage in a risky experiment that has not proven effective in lowering rates in other states.

'Fact No. 4: Hawaii's Legislature has never voted "yes" or "no" on a state fund.

'A comprehensive package of workers' comp reform measures was passed in the 1985 session as Act 296. The state fund concept was only one of many items included in this Act. The basic question of whether Hawaii should create a state fund was never reviewed by the Legislature as a separate issue.

'The responsible position for lawmakers this session is to defer action on S.B. 2298. It is premature to approve a \$10-million appropriation at this time without looking at whether we really need a state fund in Hawaii.

'Fact No. 5: Hawaii's high workers' comp rates are not caused by private insurers.'

At this point, the Chair interrupted and notified Representative Marumoto that her ten minutes was up, whereupon Representative Pfeil yielded his ten minutes.

Representative Marumoto thanked the Chair and continued:

'State fund supporters claim that Hawaii's high workers' comp costs are caused by private insurance companies charging excessive premiums. They argue that the existence of a state fund will keep private insurers honest.

'Dr. John Haldi, the state's workers' comp consultant, pointed out the fallacy of this reasoning in a letter address to then Representative Donna Ikeda dated March 1, 1985. Dr. Haldi observed: "The 'attack' on insurance rates, insurance industry profits and general overhead expense of the system is in my opinion a shibai of the first order. The major reason for this shibai, I suppose, is to deflect attention from the fact that direct benefit payments to injured workers are essentially running out of control in Hawaii. They are out of control because virtually no

effort is made to control costs by either the Department of Labor and Industrial Relations or the statute."

"Employers in California, Minnesota, and Ohio are all suffering escalating workers' comp rates--despite the existence of state funds. The problems they have identified lie within their workers' comp laws--just as in Hawaii. Providing meaningful workers' comp reform will help stabilize the rates; putting a state fund into operation will not help."

"There is a case study presented from Ohio."

"Ohio has a monopolistic state fund. Employers there must either carry their workers' comp insurance with the Ohio state fund or be self insured. Private insurance companies are not allowed to underwrite workers' comp insurance in Ohio. Ohio's experience definitely shows that private insurers are not the cause of workers' comp rate increases."

"So what's happening with the Ohio state fund? Separate audits conducted by Arthur Anderson & Company and Future Cost Analysts of Ohio in 1987 revealed that the Ohio state fund had an actuarial deficit of \$1.5-billion. Premium increases of 50 percent for private employers and 30 percent for public employers were imposed to erase this deficit."

"The Ohio Chamber of Commerce believes that this deficit was caused by "various Ohio Supreme Court cases which extended the payment of temporary total benefits as well as a more liberal administration by the Ohio Industrial Commission." The Ohio Chamber of Commerce is deeply concerned with the "negative impact of increased workers' compensation costs to Ohio's economic development." They recognize that any escalation of workers' comp costs makes it "more difficult for Ohio to attract new businesses and in the end spells a loss of jobs and income for all Ohioans."

"We've been saying the same thing about Hawaii's workers' comp costs for years. And the way to stabilize rates will be through reform of our workers' comp laws, not through the creation of a state fund."

"Fact No. 6: A state fund will not insure most businesses in Hawaii."

"The Butchart Report observes about the start-up of the Minnesota state fund: "The initial surplus was compromised to a sum insufficient to meet the demands of the marketplace. The sum of \$5.7-million was appropriated, as a loan to be repaid with interest. Under-capitalization has been a severe limitation. The fund is currently negotiating to obtain an additional \$10-million of surplus income notes through private investors. Because of this under-capitalization, the fund is forced to limit marketing, and to be highly selective in accepting new business."

"Just how selective the Minnesota state fund has been in picking its clients is shown in a report by the Alliance of American Insurers dated January 21, 1985: "Since the state fund implemented its operations on April 1, 1984, it has acquired 500 policyholders. Approximately 4,000 applications have been received by the Minnesota state fund, but the fund has declined 45% of them."

"A Hawaii state fund would have a similar experience. At best it would be able to write about \$20-million in insurance--less than eight percent of Hawaii's \$262-million workers' comp market. Thousands of businesses in the remaining 92 percent of the market would not be

served by the state fund. Of what use would they find a state fund that has wasted \$10-million of their tax money?"

Fact No. 7: The state lacks the expertise to properly operate a state fund.

"The state's consultant on workers' compensation, Dr. John Haldi, noted in his December 1984 report, Study of the Workers' Compensation program of the State of Hawaii: "The State lacks the sufficient background and expertise in underwriting, claims handling, data processing, and financial expertise to effectively launch such a program (a state fund) within the foreseeable future." He went on to note that a problem in recent years with state funds is that they have experienced "serious financial management problems. This has been true of state funds in Ohio, Pennsylvania, and Washington."

"Hawaii's experience with state funds for other types of insurance confirms Dr. Haldi's fears. The Thrift Guaranty Fund that was supposed to cover deposits in industrial loan companies went bankrupt. It required a \$30-million bailout by the Legislature in 1986, after thousands of depositors besieged lawmakers to help them. The Patients' Compensation Fund that covered medical malpractice in Hawaii also went bankrupt. There is an estimated \$20-million of liability outstanding for the state in potential medical malpractice cases. Such liability is currently unfunded. The Legislature will have to appropriate additional monies in the future to address these claims."

At 5:35 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:43 o'clock p.m.

Representative Takamine rose and called for the question.

Representative Anderson rose on a point of order and stated:

"The former speaker still has the floor."

The Chair answered:

"I believe she relinquished the floor, Representative Anderson, when Representative Hagino stood up and I recognized Representative Hagino."

Representative Anderson, on a point of order, then said:

"I don't believe that anyone can automatically say we waived and we give up, just to stop a discussion. You agreed to that and we asked for a recess. The speaker still has the floor. There is no one that is supposed to interrupt unless they have a point of information. . ."

The Chair replied:

"I believe she ended her discussion."

Representative Anderson said:

"No, sir, she was still speaking when Representative Hagino interrupted."

Representative Apo then rose on a point of order and stated:

"I don't believe it is proper for the Minority Leader to challenge the ruling of the Chair. Short recess, please."

At 5:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:54 o'clock p.m.

At 5:55 o'clock p.m., the House of Representatives stood in recess until 8:30 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:30 o'clock p.m.

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, for some very fast points, there has been some comments made this evening that we are 30 percent lower in our workers' comp because we have taken the Haldi report and given the people a discount. Factually, Mr. Speaker, we have only taken seven of the recommendations from Haldi. If we had taken the Haldi report and my memory is right, they said we would have had no less than 20 percent. If, in fact, with seven of the recommendations we have 30 percent, think of what we could have done if we had taken the Haldi report as a whole. Over and above that, Mr. Speaker, we have never, with all of the recommendations by the people that came to see us from other states that had state funds, said that we would take their workers' comp bills or their laws and made them ours. And that was one of the greatest things we told the unions at that time. We would accept any state fund if those laws became ours and we have not done that, Mr. Speaker. Consequently, I believe that we will never have a workable state fund unless we do that.

"We have now in the bill a proposal supposedly we're going to borrow \$10-million, but that \$10-million is not going to be taken as a liability against the fund. It is going to be an asset. Now, I'm not the best businessman in the world, Mr. Speaker, but when you borrow \$10-million, you owe \$10-million. But that's going to be counted up as assets.

"If you look at the bill, it states that all the fund's assets shall consist of appropriations and all the fund and personal property and shall include all premiums and other money. So that's the \$10-million assets that they have. And then it says the money of the fund is not state money. Even though they borrowed it, it is not state money. Then, indeed, it says, 'The fund shall repay the state for this loan with interest within ten years.' It doesn't say that they are going to pay us back so much per year. They could, in fact, pay us back all of it with interest at the end of ten years, or because of the way it is written, that they could either borrow more money, if needed, or they could extend the time.

"Now, when we talked to the people that came here from other states that had state funds, they had put in, some of them, \$40-million. That means that they are going to be using the taxpayers' money and if you remember correctly, rather than come to us, the Chamber of Commerce has gone to the people. The business community has gone to the people. My constituents have been calling me and saying, 'Hey, you not only didn't refund any money, you're now going to go ahead and put up a fund that could cost me and cost my children and our grandchildren.' And I think that this is a shame, Mr. Speaker, that we're telling the people we're going to

disregard what they're saying and we're going to, in fact, put them in a hole, much deeper, than any of us can realize.

"Even the Governor has said that this fund is inappropriate at this time and that's what I am looking at, Mr. Speaker. I think all of us are saying that this fund, at this time, is inappropriate and for that reason, Mr. Speaker, I am voting down and I wish my colleagues would do the same.

"Thank you very much."

Representative Peters rose to speak against the measure, stating:

"The Representative from Honokaa had some rather eloquent and pertinent remarks to make with respect to a bill that we passed a number of years ago that was designed to reform the workers' compensation law. Those reforms have taken place and as a consequence, we are reaping and absorbing those benefits by way of rate reductions that unfortunately won't come into play until sometime this year.

"Back in 1986, the Insurance Commissioner mandated a 12.4 percent reduction. Last year again, he granted an 18.9 percent reduction and by way of recent conversations with him, he expects to have a reduction again. So, why the big push for a state fund? The system, as it currently stands, is functional and it is working. You and I were back then participating in our respective capacities, pushing for those reforms to occur. And then there was a last minute effort to have a state fund. As Speaker then, I allowed the words to be placed in the statutes, but to have it dangle out there like a dangling participle, if you will, it was never funded.

"One year, the Senate tried to hold up the budget by way of asking us to 'eat' \$5-million and instructed the then Finance Chairman to go along with the recommendations because I knew that measure was going to be vetoed. The law mandates that the appropriations for this measure shall be done by a separate appropriations bill.

"Some of us have opportunities to go into business and others perhaps are not as fortunate. But you learn in that process. You give credibility. . . I heard the word 'credibility' being used there to peoples' actions and I guess, as a case in point, if the unions came to see me and wanted to talk to me about workers' benefits, salaries, or maybe even the presumption clause, I would listen, because that's their mandate. That's their kuleana. Unions are formed for the purpose of representing workers' interests. But when the unions come by and try to persuade you to go into business and try to tell you how to form a business and how to make it work and function, I can guarantee you not too many people would be standing in line waiting for that kind of recommendation.

"But that's the case with this bill. The entity that seems to be pushing for a state fund are not all the unions, just a handful of them. What do they know about insurance companies? What do they know about running insurance companies? What do they know about investing? I'd be willing to assist them in forming their own insurance company and call it a union fund, a union workers' comprehensive fund. But when you say a state fund, the implication is that they are willing to have you put the taxpayers' money at risk but they are not willing to do it themselves. If it is all that worthwhile and if it really is a money producer, then let them put their money by their mouth. Let them start their own workers'

compensation fund and compete in the marketplace. But they want you to use the taxpayers' money--put the taxpayers' money at risk for this kind of purpose. That's what they call Portuguese money by your mouth.

"Act 299, back in 1983 and I am trying to recall some of the events that have taken place since I was here dealing with this issue, we were so concerned that we placed a moratorium on the industry. For one year, we told them, you are not going to get anything--no increases at all. And that same year, we passed Senate Concurrent Resolution 61 and House Concurrent Resolution 172, and we directed the Legislative Auditor to conduct a comprehensive study. They secured the services of Mr. Haldi, and in 1984 he submitted his final report. Now, not all of the details or all of his recommendations were implemented. As a matter of fact, only seven out of this some thirty-two recommendations were implemented.

"But there are other kinds of things that we did as well as our good Representative from McCully articulated. So you see what we have in place is working. And I have always told the unions because at that time, they used California as a state to emulate. They said we need a state fund, look at California, it's working. But if you check the records today, you will find that it is not working. It has incurred a tremendous deficit. We are the only ones that are doing well. And at that time, I told the unions, fine, you want state funds, you want California law, then we will incorporate all of the provisions of the California law into our statutes. And they almost had a heart attack because in it, it is quite clear there is no presumption and so you can see the reason for that statement.

"On the other side of the ledger, when the industry came to see us and they wanted presumption, we said 'fine, but you take state funds too.' So, we've held them at bay, both interested parties, and now somebody has decided to fold. For what?

"My good Representative from Kailua is a senior member of this process. Representative Medeiros has often said, 'If the bugga no broke, no fix um.' And I agree. It isn't broken, it is working. And I challenge anybody to show me that the contrary is true. It is working. Let it continue its path for the benefit of all.

"Thank you, Mr. Speaker."

Representative Tajiri rose and stated:

"I'm on a roll. Four years no speak, two years speak two days in a row. I speak against the idea and against the measure, Mr. Speaker.

"You know, I've sat back and listened with some amusement with some of the rhetoric which some of the speakers have spoken regarding the state fund and how good it is and what it is supposed to do. And I listen with amusement because some of these proponents of this fantastic state fund don't even know how to run a business.

"The claim is that small business in Hawaii needs a state fund and the small business says 'no, they don't need a state fund.' I just don't understand the logic.

"The state fund as proposed, is one that is engineered to self-destruct because the business plan is ill-conceived. Let me read excerpts from a consultant, James Burkwes, who was hired by the proponents of the fund and let me share some of his findings. This is his conclusion: 'We show that the initial surplus loans can be repaid with interest over a twenty year period without impairing the

solidity of the fund.' Our repayment period is ten years. It further goes on and concludes by saying, 'We wish to emphasize that the Legislature should consider this as only one step in the solution of Hawaii's workers' compensation problems. While the state compensation insurance fund can significantly improve the competitive environment, it cannot eliminate those high costs of the system which are due to the liberal provisions and interpretations of the benefit structure. The solutions to these issues are legislative and judicial in nature and must be solved in those environments.' As I said, this was signed by James Burkwes. He is a fellow in the Casualty Actuarial Society, American Academy of Actuaries.

"I believe we are fooling ourselves into thinking that this fund can work. The fund, as it is conceived, is a ten-year loan. The \$10-million is to be used as assets. Now, if you can think about it, for those of you who are in caucus, excuse my having to say this all over again, but I believe this is so important that it must be said.

"Ten million dollars to be repaid after ten years with the interest to be determined at the rate that the state yields in its investment which works out to approximately 7 percent a year. Now, if it's a simple interest, that works out after ten years to \$7-million. If it's compounded, then it's \$19.7-million. I am told by the proponents of the fund that the fund is not to make money until the fifth or the sixth year. The interest or the income derived from the investment that the \$10-million would yield would be used to offset the operation of the state fund.

"Now, we also need to know another set of facts and that is that we have a requirement that an insurance carrier has to have at least one-third of its premium written in assets. So that means that theoretically, the fund can write up to \$30-million the first year and if it uses the profits, and I am told the profits are projected to be about \$2.5-million at the end of ten years, then conceivably the fund can write \$38-million. However, on the tenth year, what happens is that the loan is callable--it's due. And so \$17-million is to be repaid to the State of Hawaii. The asset of that fund, if you can use \$10-million added to the \$2.5-million, is only \$12.5-million. These are harsh words but let me put it this way. The proponents of the fund are either lying or they're stupid. I cannot find any other way to describe it. At the end of the eleventh year, the fund is going to go broke if what I am told is true. I am told this set of figures--all these figures--by the proponents of the fund. I believe, like the previous speaker before me, that the proponents of this fund should be kept running the unions, not business.

"What we have here is a problem of a Volkswagen whose tires are half flat and instead of changing the tires, we are putting a Buick engine so that we can get more power into that Volkswagen.

"We talk about responsibility--fiscal responsibility. We have some programs that come before, even this year, and we've asked them--purchase of service request--let us see your business plan, let us see your budget. For a \$200,000 request, we ask that. For a \$10-million request, we don't even see it. I believe that is a sad commentary on this House. There is no way anybody who thinks about this, who knows how to calculate it, can say that the fund will work. I don't know how any of you might feel, my fellow colleagues, but this is going to be a big, big mistake. We're talking about \$10-million of the taxpayers' money. We are going to experiment on it. Projections don't look too good.

"I beg you, my fellow colleagues, to reconsider. If you're thinking about voting for this fund, to go down on it. It is ill-conceived, it is not necessary.

"Thank you, Mr. Speaker."

Representative Ribellia rose to speak against the bill, stating:

"Mr. Speaker, as a newcomer to the Legislature, having observed two sessions, I have seen that one of the most important role of the Legislature has been to address problems--problems and needs that people come before us and present testimonies and state the case of how urgent their needs are. We have seen it in the cases of nurses, for more resources, we've seen it in the case of the proponents of affordable housing--there's such a severe shortage. But in this particular case, Mr. Speaker, the alleged beneficiaries, by and large, consistently have said that the bill is not needed. What problem then are we trying to solve with this bill? How do we, in terms of the general public, justify this bill? I am at a loss as to how to go about and rationalize and explain it to those constituents who ask.

"I really think the message is clear. The bill is not needed. Therefore, I would urge my colleagues to vote against the bill.

"Thank you, Mr. Speaker."

At 9:55 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:23 o'clock p.m.

Representative Takamine then rose and moved to recommit Conf. Com. Rep. No. 129-88 and Senate Bill No. 2298, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKERS' COMPENSATION STATE FUND," seconded by Representative Yoshimura and carried.

Conf. Com. Rep. No. 53-88 on S.B. No. 3195, SD 2, HD 2, CD 1:

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3195, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Hemmings rose to speak against the bill, stating:

"This bill which will give the Executive Branch and unelected officials \$120-million to spend on alleged affordable housing is another unwarranted step towards over-centralized State-dominated economy.

"The Honolulu Advertiser recently reported that the State government, under the guise of affordable housing, has already spent \$500-million over the last eighteen years. Yet, what we have in the wake of this is no affordable housing.

"Does it make sense, in view of this failure, to further concentrate power and resources in the Governor's Office?

"In contrast, in this Sunday's newspaper, a private developer worked closed with the Maui County government and implemented an affordable housing program on Lanai with homes priced at \$65,000. It seems that Maui County and private developers can work

together to provide for affordable housing and what we are asking here is \$120-million to be given to the Governor's Office with the other bill that would give them absolute power so that he can do it.

"We do not need more unchecked spending power in State government. We need home rule, self-initiative, private sector cooperation with government, to provide for affordable housing.

"I find it rather ironic, colleagues, that we spent all afternoon debating a bill that essentially was going to put \$10-million on the line and one of the major arguments against the bill which was just killed was that the private sector can do a good job of providing insurance. Well, I can guarantee you that the private sector can do a real good job of working in partnership with government to provide for affordable housing.

"The State owns 35 percent of the land in these islands. The State has the resources to work constructively with the counties and the private sector to provide affordable housing. We don't need to take \$120-million out of the taxpayers' pocket and give it to the Governor's Office when we do have more viable alternatives.

"I hope that we stay consistent with our recent actions and vote no on this bill also.

"Thank you, Mr. Speaker."

Representative Shito rose to speak in favor of the bill, stating:

"Mr. Speaker, for many years, Hawaii has been plagued by a housing problem. We have labored long in this House to find ways to ease it. But I must report, Mr. Speaker, that the problem grows worse, not better, and a need to address it as more acute.

"We have, at the present time, a shortage of more than 10,000 units of affordable housing, homes that the people of Hawaii can afford to buy and live in. By the end of the century, if we do not act now, that deficit will swell to tens of thousands and become a social crisis.

"Mr. Speaker, we cannot allow this to happen.

"We have a package of legislative measures which are well crafted to provide a timely relief, not only for the affordable housing market, but for other sectors for the demand as well.

"This package provides for a \$120-million revolving fund which will provide a breakthrough in the affordable housing market. With this funds, we will be able to produce the necessary infrastructure for housing development, form a new partnership with the private sector, and construct thousands of needed homes at prices people can afford to pay.

"A critical part of this housing demand lies in the rental market. Our housing package provides for renters who need public support to make ends meet.

"Finally, Mr. Speaker, we have not forgotten the neediest of our people. Among the measure that came and passed before us, this one to provide new shelter for the homeless to ease their desperate search for a place to find rest.

"I want to thank the members of my Committee. I want to thank the Finance Chairman who has supported this measure.

"Mr. Speaker, I have been a member of this House for a number of years now and in all that time, the kind of package that is now before us has eluded us. Now we have the resources to develop a housing program that really addresses the need.

"Now we have the opportunity to act with vision and foresight. Now we have the chance to really make a difference in our housing market.

"Mr. Speaker, I say, let us act, let us solve this enduring problem and win the gratitude of the people of Hawaii and their children. I call upon all members of this House to vote aye on this measure.

"Thank you."

Representative Arakaki rose to speak against the bill, stating:

"The Governor's housing program, as envisioned in his state-of-the-State message, started with much promise and extraordinary response to an extraordinary crisis. As the session progressed, however, it became obvious that while the ends are acceptable, the means leave much to be desired. While I struggled in my desire to support the Governor for his aggressive pro-active stands on housing, my conscience would not allow me to be convinced that providing such broad powers to one agency is prudent.

"What bothers me even more, Mr. Speaker, is that many concerns were raised about the housing program during the course of the session and it became obvious that parts of the program were hastily put together and answers could not be immediately provided. It is also obvious that in the construction of this housing jargonut, all attempts to dilute its power were to be withheld. Suggestions for amendments were offered but none were seriously considered.

"My own interest and desire to express concerns for this bill as a conferee was seen as a threat and I was not given that opportunity. It bothers the mind to think how we can scrutinize and have long and heated discussions over programs that cost thousands of dollars, and yet we are willing to give a virtual blank check for up to \$120-million to a corporation reformed by law just a year ago with virtually no track record as a developer. We are not only giving a blank check but an open-ended loan that has no pay-back date, no interest and no cap on the number of homes and projects it could develop.

"This housing jargonut has a potential to turn HFTC into the biggest and most powerful developer in the history of the State, and I suppose that is the intended consequence in order to meet the housing shortage.

"It frightens me, however, to think that this jargonut could turn on us if not properly controlled.

"Mr. Speaker, from my own analysis, it seems that affordable renting housing is really where the greatest needs are, that these needs have reached crises proportions because of the fact the building rental units are no longer profitable for land owners and developers. It seems such a paradox that in another housing bill, Senate Bill 3197, we are asked to authorize a tax to fund the rental assistance revolving fund to develop more rental housing.

"Does it make sense that we are willing to finance HFTC with public funds to develop private homes for sale and on the other hand, we tax private funds to fund a governmental rental assistance program?

"Mr. Speaker, it would presumptuous of me to ask any of my colleagues to vote this bill down. It is my hope, however, that we can take a closer look at this development jargonut we are allowing to be created. Think of it as a snowball rolling down a hill. The more momentum and size it builds, the more difficult it becomes to stop. Picture that, then look for any legislative controls we provided in this bill.

"Thank you, Mr. Speaker."

Representative Crozier rose to speak in favor of the bill, stating:

"Mr. Speaker, I speak in favor of this motion to try and highlight how important housing is to Hawaii. I think the three major social problems we face today is education, drugs and housing, and not necessarily in that order.

"Mr. Speaker, on any given street in Honolulu, on Oahu, and the State of Hawaii, you can find some home where there are three generations living in that home. Twenty years ago, it was fashionable for number one son to take care of the parents or the older folks. But what has happened now is that the older folks are taking care of number one son, number two son, number three, and the daughters, and number one's family. Nobody moved out anymore, Mr. Speaker. Everybody moves in. This is going on and on and on. You know, you can find this anyplace--you can find it in Kahuku, Kaimuki, Kahala, Hawaii Kai, Palolo, everywhere. It's all over the place. We are finding these overcrowding in the homes. You know, I don't care how beautiful the home is. It can be the prettiest home, it could have the nicest yard, but within that sanctuary, if it's overcrowded, the stresses overcrowding take place. The man who has spent his life rearing his kids, having to settle down in when he is in his forties, things are kind of quieting down, he is now ready to take life easy. What happens? His kids cannot find a home. They are old enough, they are starting to produce their own children. Out of love, the parents invite them in. What happens? Stress. Pop is the king of the roost--all of a sudden he got another man in the house he got to put up with. Mom the same way. She got to put up with that problem.

"What about the siblings? The siblings been waiting for that number two. That boy has been waiting for that room--he says, wait until Mike moves out, I am getting that room. What happens? Mike doesn't move out. He brings his family in. He doesn't only bring his family in, he bumps number two into the living room. Number two can no longer have his little domain, his little space. Where does he end up? Down the street, hanging out with the boys. He has been denied his opportunity to grow.

"Mr. Speaker, what about the kids that grow up--the grandchildren that grow up in that household? Think about it, gentlemen. Think about it, ladies. What happens to that person, that youngster? He walks in there, he got his mother, he got his father giving him directions, he got his grandma, he got his grandpa giving him directions. Next, he got all his uncles and aunts who are maybe eight or nine years older than him giving him orders. That's stress.

"You know, when we talk about overcrowding, we just say, ah, it overcrowding. Stop for a moment, analyze what we are talking about--overcrowding. Overcrowding means something. Overcrowding means human contact, the impact, the problems that come with that close contact. We need to resolve that. We need to find ways so that when the young couple just starting out in their

life, in their married life, when they are just creating that love bond so they can have a place where they can argue, where they can argue! They can't even argue in the home. They got to jump in their Volkswagen and go down the park and yell at each other."

The Chair interrupted and remarked:

"They should come to the Legislature."

Representative Crozier continued:

"That's why my wife sent me here, sir.

"But, please, please for a moment, take it right into the home, you know. Just don't stay off to the side and make this, we all pontificate or we have overcrowding. Think about it. Everyone of you can probably think of at least one person or one home on your street. On my street, I know about three. Even the people up in the gallery, even Kahala, they got overcrowding. It's a problem. We need to address it. This will be the first step towards addressing it. Hopefully, Kapolei, the new city will be that relief valve so that family stuck in Palolo who cannot find a home. . .

"At this point, Representative Say rose on a point of order and stated:

"Why does he make reference to Palolo where I come from?"

The Chair said:

"Representative Crozier, can you use Waipahu instead?"

Representative Crozier continued his remarks, saying:

"Because it rhymes with Kalihi. I was going to talk about Kalihi next. Makakilo. But I am trying to make the point that it is all over the place. Kapolei is for everybody. Kapolei will not resolve the overcrowding problems for Ewa Beach, for Makakilo, for Nanakuli, for Waipahu that is right next to that new city. It's going to relieve the pressure from all over this island.

"Ladies and gentlemen, I ask you, believe me that the major social issue is housing. This is a relief that is long coming.

"Thank you."

Representative Anderson rose to speak in favor of the bill, stating:

"I was carried with that emotional and articulate speech and I would like that inserted in the Journal as my own."

The Chair "so ordered." (By reference only)

Representative Hagino then rose and stated:

"I, too, will be voting for this bill. I want the Journal to reflect that emotionally, I am drawn to Representative Crozier's speech. However, intellectually, I am drawn to Representative Arakaki's speech. But I will be voting aye."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3195, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 47 ayes,

with Representatives Arakaki, Hemmings, Hirono and O'Kieffe voting no.

The Chair directed the Clerk to note that S.B. No. 3195 had passed Final Reading at 10:40 o'clock p.m.

Conf. Com. Rep. No. 160-88 on H.B. No. 2080, HD 1, SD 1, CD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2080, HD 1, SD 1, CD 2, having been read throughout, pass Final Reading, seconded by Representative Anderson.

Representative Anderson rose to speak in favor of the bill, stating:

"Very briefly, I am in favor of the bill. I am very happy that we took the House position. I looked at the Senate position on this particular bill and the bill was really cut down a bit. It would not have done the job for forfeiture that we needed for the Prosecuting Attorney and the other people in the law enforcement business.

"For that reason, I am very happy and wish my colleagues go aye."

Representative Hemmings rose to speak in favor of the bill, stating:

"This is one of the keystone bills in the great package for law enforcement that the Attorney General, the Prosecutor and the law enforcement officials from all the islands brought to this Legislature and we must give credit where credit is due.

"Under the stewardship of the Attorney General, this bill has weaved its way through this Legislature but I must add most of the accolades to the Chairman of the Judiciary Committee. Under his stewardship and leadership, this bill has emerged and will be a major element in the fight against drugs. Right now, we have a situation where drug lords commend tremendous economic power and reflects in their ability to defend themselves in our courts.

"This bill will go a long way in curbing that abuse and will allow us in civilized society and equal footing in fighting the drug lords that are plaguing our society and I do want to urge everybody to recognize how significant this bill is and I would like, once again, to extend my accolades to the Chairman of the House Judiciary Committee who fought so adroitly to have it emerge as it has.

"Thank you, Mr. Speaker."

Representative Metcalf rose to speak in favor of the bill, stating:

"I had intended to give a speech. It would have been my first real speech of the session, but I don't think I could have said it any better than Representative Hemmings except that I would like to thank all of the members of the Committee for their loyal support and their many hours of labor through the last two years and particularly the conferees that served on conference on this measure as well as other drug measures.

"Thank you very much and thank you also the members of the House for their support these past two years. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.B. No. 2080,

HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2080 had passed Final Reading at 10:42 o'clock p.m.

Conf. Com. Rep. No. 161-88 on S.B. No. 2124, SD 1, HD 1, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2124, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND EXPLOSIVES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 162-88 on S.B. No. 2441, SD 1, HD 1, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2441, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 163-88 on H.B. No. 3068, SD 1, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.B. No. 3068, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2124 and 2441 and H.B. No. 3068 had passed Final Reading at 10:43 o'clock p.m.

Conf. Com. Rep. No. 164-88 on S.B. No. 2522, HD 1, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and S.B. No. 2522, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," having been read throughout, passed Final Reading by a vote of 44 ayes to 7 noes, with Representatives Bunda, Crozier, Hashimoto, Say, Souki, Taniguchi and Yoshimura voting no.

Conf. Com. Rep. No. 165-88 on H.B. No. 3408, HD 2, SD 2, CD 2:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.B. No. 3408, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO A CIVIL RIGHTS COMMISSION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Jones voting no.

The Chair directed the Clerk to note that S.B. No. 2522 and H.B. No. 3408 had passed Final Reading at 10:44 o'clock p.m.

Conf. Com. Rep. No. 166-88 on H.B. No. 2483, HD 2, SD 2, CD 1:

On motion by Representative Apo, seconded by Representative Anderson and carried, the report of the Committee was adopted and H.B. No. 2483, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

THE JUDICIARY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2483 had passed Final Reading at 10:45 o'clock p.m.

At 10:46 o'clock p.m., Representative Crozier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:50 o'clock p.m.

Conf. Com. Rep. No. 157-88 on H.B. No. 2032, HD 2, SD 2, CD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2032, HD 2, SD 2, CD 2, having been read throughout, pass Final Reading, seconded by Representative Okamura.

Representative Ihara rose to speak in favor of the bill, stating:

"Mr. Speaker, in this the year of telecommunications, it is most appropriate to have this bill before us which, if adopted by this House and the Senate, will clearly demonstrate our State's commitment to a new and achievable vision--Hawaii as the information capital of the Pacific.

"Mr. Speaker, House Bill 2032 represents the culmination of eight months of hard work by many individuals and organizations who are committed to creating a new industry in Hawaii--an information industry. It was, in fact, under your leadership, Mr. Speaker, that this effort started with the establishment of six Majority caucus work groups which explored new areas for expanding Hawaii's economic development in selected areas, one of which was telecommunications.

"The telecommunications work group, after meeting with over eighty individuals from fifty different organizations, found that the converging of two ages--the age of the Pacific and the age of information--presented a window of opportunity for Hawaii to establish an information industry in our State. The age of the Pacific started with the appearance of a global shift in economic and technological power away from the Atlantic triangle of New York, Paris and London to the Pacific region.

"The information age began with the explosion of modern technological advancements and has generated a demand for information that is increasing at an exponential rate. In this age, information is the commodity and telecommunications the medium for transmitting information. Hawaii's central location at the hub of the Pacific telecommunications infrastructure makes us perfectly situated to take advantage of these two major forces for our State's economic benefit.

"What makes the window of opportunity in this year of telecommunications is two events. One, the completion in 1989 of an undersea fiber optic cable linking the mainland and Japan through Hawaii; and two, another fiber optic cable scheduled for the early 1990s from the mainland to Japan but this time bypassing Hawaii.

"The first cable will be able to carry 40,000 simultaneous voice and data transmissions. It will vastly increase Hawaii's telecommunications capacity and will place our State inside the information flow. The second equally powerful fiber optic cable will bypass Hawaii and then no longer will there be a reason for data to pass through our State unless we begin now to build an

information industry to serve the data needs of the Pacific and the world.

"This bill, if adopted, will begin to move our State boldly and aggressively into the information age and will ultimately make Hawaii the place where international businesses, government and citizens dial up from their computer for their information needs.

"The funds appropriated in this bill are less than half of that originally recommended and will postpone the full implementation of this project but it does provide for the necessary studies and also for an important pilot project involving the University of Hawaii information network. The pilot project will provide the critical telecommunications link and data trading relationships with our Pacific neighbors which is necessary for the establishment of Hawaii's information industry.

"Mr. Speaker, I predict that within ten years, we will look back at this legislative session and note that we here today, if the House and the Senate both adopt this bill, with this vote we will have launched the information industry in Hawaii.

"I urge my colleagues to support this bill.

"Thank you very much."

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, after eight months of work, one would think that the working groups and the architects of this measure would be able to talk about in more specifics what information are we talking about to disseminate and sell a market to the Pacific area. If this area is so lucrative and tempting, why are we--the State, the taxpayers--putting forth the venture capital in this area? Why not the private sector?

"This is not like the cable system that might take tens or hundreds of millions of dollars, a myriad of permits to State lands and government properties, or perhaps State involvement is needed and necessary. We are talking perhaps less than ten million dollars, perhaps a few more than that for future development which is not much in the area of the private sector and new ventures.

"It's been described that what we are talking about is somewhat a clearinghouse, a brokerage house, for information. Well, if that's the case, we see the private sector involved in brokerage houses of all kinds, from stocks to houses, to businesses, to information today. It has also been described that perhaps this is the start of the State providing a highway. I would describe it as a highway to nowhere, Mr. Speaker.

"I question a situation where we are committing \$700,000 to legal and marketing studies--\$700,000! Much too much the cart before the horse. And finally, the start of what I believe is a new bureaucracy.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2032, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Hemmings, Jones and Liu voting no.

The Chair directed the Clerk to note that H.B. No. 2032 had passed Final Reading at 10:56 o'clock p.m.

Conf. Com. Rep. No. 158-88 on H.B. No. 2096, SD 2, CD 2:

On motion by Representative Apo, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.B. No. 2096, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading by a vote of 42 ayes to 9 noes, with Representatives Anderson, Arakaki, Hemmings, Horita, Jones, Lee, Liu, Marumoto and Ribellia voting no.

The Chair directed the Clerk to note that H.B. No. 2096 had passed Final Reading at 10:58 o'clock p.m.

Conf. Com. Rep. No. 159-88 on S.B. No. 3197, SD 2, HD 2, CD 2:

On motion by Representative Apo, seconded by Representative Okamura and carried, Conf. Com. Rep. No. 159-88 and S.B. No. 3197, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 141-88 on S.B. No. 3178, SD 1, HD 1, CD 1:

On motion by Representative Apo, seconded by Representative Okamura and carried, Conf. Com. Rep. No. 141-88 and S.B. No. 3178, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," were recommitted to the Committee on Conference.

At 10:59 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:50 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B. No. 2499, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2499, HD 1, and H.B. No. 2499, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SALES," having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 3265, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3265, HD 1, and H.B. No. 3265, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2499 and 3265 had passed Final Reading at 11:04 o'clock p.m.

By unanimous consent, H.B. No. 3514, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3514, HD 1, and H.B. No. 3514, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 3529, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate and H.B. No. 3529, and H.B. No. 3529, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 3558, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Anderson and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3558, HD 1, and H.B. No. 3558, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS INVOLVING THE STATE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3514, 3529 and 3558 had passed Final Reading at 11:05 o'clock p.m.

By unanimous consent, H.C.R. No. 10, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 10, HD 2, and H.C.R. No. 10, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE EXCLUSIVE ECONOMIC ZONE," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 19, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 19, HD 1, and H.C.R. No. 19, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ESTABLISH A VETERANS HOSPITAL IN HAWAII," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 31, HD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 31, HD 1, and H.C.R. No. 31, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO AIRLINES SERVING HAWAIIAN PRODUCTS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 36, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 36, HD 1, and H.C.R. No. 36, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE SPACE EDUCATION CENTER," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 49, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 49, HD 1, and H.C.R. No. 49, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE STATE INVESTIGATE THE POSSIBILITY OF CONSOLIDATING FILM AND VIDEO STORAGE AREAS AND THAT FUTURE STATE FUNDED FILM AND VIDEO PROJECTS INCLUDE FUNDS FOR THE PRESERVATION OF SUCH MATERIALS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 50, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 50, HD 1, and H.C.R. No. 50, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE STATE INTEGRATE FILM AND VIDEO PRESERVATION PLANNING THROUGH INTER-AGENCY PROCEDURES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 61, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 61, HD 1, and H.C.R. No. 61, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE CREATED BY HELICOPTERS OVER RESIDENTIAL AREAS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 77, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 77, HD 1, and H.C.R. No. 77, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXPANSION OF THE ARCHAEOLOGY PROGRAM AT THE UNIVERSITY OF HAWAII-MANOA," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 82, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to

the amendments proposed by the Senate to H.C.R. No. 82, HD 1, and H.C.R. No. 82, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE USE OF ETHANOL FUEL AS AN ALTERNATE ENERGY SOURCE," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 86, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 86, HD 1, and H.C.R. No. 86, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF MARKETING AND PRODUCTION OF ALTERNATIVE CROPS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 89, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 89, HD 1, and H.C.R. No. 89, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF TECHNOLOGY TO ALLOW FOR THE EFFECTIVE UTILIZATION OF OCEAN RESOURCES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 145, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 145, HD 1, and H.C.R. No. 145, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION CLARIFYING THE INTENT OF THE LEGISLATURE WITH RESPECT TO THE DIAMOND HEAD STATE MONUMENT," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 153, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 153, HD 1, and H.C.R. No. 153, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVIEW INSPECTION PROCEDURES TO MINIMIZE THE INTRODUCTION OF INSECT PESTS IN HAWAII," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 167, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 167, HD 1, and H.C.R. No. 167, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO RELEASE LAND FOR CIVILIAN HOUSING," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 174, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 174, HD 1, and H.C.R. No. 174, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT CONGRESS PASS LEGISLATION WHICH PROVIDES REDRESS AND REPARATIONS FOR AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY AND ALASKAN ALEUTS WHO WERE SUBJECTED TO FORCED EVACUATION IN DETENTION CAMPS DURING WORLD WAR II," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 175, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 175, and H.C.R. No. 175, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING JAPAN TO RESPECT THE SPIRIT OF THE INTERNATIONAL WHALING COMMISSION'S BAN ON COMMERCIAL WHALING," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 178, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 178, and H.C.R. No. 178, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE JOINT USE OF MAKUA VALLEY LANDS FOR AGRICULTURAL PURPOSES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 179, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 179, HD 1, and H.C.R. No. 179, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JOINT USE OF LUALUALEI LANDS FOR AGRICULTURAL PURPOSES BY NATIVE HAWAIIANS AND THE GENERAL PUBLIC," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 205, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 205, and H.C.R. No. 205, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ADAPTIVE COMPUTER TECHNOLOGY EDUCATION CENTER," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 211, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 211, HD 1, and H.C.R. No. 211, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A HAWAII STATE OCEAN RANGERS PROGRAM,"

was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 222, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 222, HD 1, and H.C.R. No. 222, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF DESIGNATING A PARTICULAR STATE AGENCY TO PROVIDE VIDEO PRODUCTION SERVICES FOR ALL STATE AGENCIES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 224, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 224, HD 1, and H.C.R. No. 224, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE HAWAII LIFE AND DISABILITY INSURANCE GUARANTY ASSOCIATION," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 240, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 240, and H.C.R. No. 240, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NEED TO REGULATE HOSPICE CARE PROGRAMS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 261, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 261, HD 1, and H.C.R. No. 261, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INTEGRATED SCENIC SHORELINE PARK IN EAST OAHU EXTENDING FROM KOKO HEAD TO MAKAPUU POINT," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 274, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 274, HD 1, and H.C.R. No. 274, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE TARO PROCESSING PLANT," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 275, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 275, HD 1, and H.C.R. No. 275, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES ADOPT RULES CONTROLLING 'O'OPU FISHING AROUND KAUAI COUNTY," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 284, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 284, HD 1, and H.C.R. No. 284, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE AUDIO OF EMERGENCY MEDICAL SERVICES PROGRAM," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 288, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 288, HD 1, and H.C.R. No. 288, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A BAN ON THE SALE OF ALL NONPRECIOUS STONY CORALS IN HAWAII," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 291, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 291, HD 1, and H.C.R. No. 291, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF ADMINISTRATIVE RULES TO LIMIT THE TAKING OF TROPICAL FISH FOR AQUARIUM PURPOSES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 294, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 294, and H.C.R. No. 294, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT AND ADVANCE HAWAII'S 1990 HEALTH OBJECTIVES," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 301, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 301, HD 1, and H.C.R. No. 301, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONSIDERATION OF REQUIRING CABLE OPERATORS TO PROVIDE AID TO NONPROFIT GROUPS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 324, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 324, HD 1, and H.C.R. No. 324, HD 1, SD 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT OF THE TORT REFORM MEASURES ENACTED IN 1986," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 326, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 326 and H.C.R. No. 326, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE COMMERCIAL DEVELOPMENT OF AREA ADJACENT TO THE UNIVERSITY OF HAWAII AT HILO," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 330, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 330, and H.C.R. No. 330, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH PRIVATE INDUSTRY TO INSURE THE PROTECTION OF THE PUBLIC HEALTH AND THE ENVIRONMENT AGAINST THE ADVERSE IMPACT OF PESTICIDES AND OTHER TOXIC OR HAZARDOUS COMPOUNDS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 338, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 338, and H.C.R. No. 338, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS AND THE SECURITIES EXCHANGE COMMISSION TO EXCLUDE RESALE OF CONDOMINIUM APARTMENTS FROM SECURITIES LAWS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 356, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 356, HD 1, and H.C.R. No. 356, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUING SUPPORT OF LEGISLATION AND OTHER PROGRAMS TO HELP CONTROL THE PLASTIC AND NET POLLUTION OF OUR OCEANS," was Finally adopted, with Representative Anderson voting no.

By unanimous consent, H.C.R. No. 384, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Okamura and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 384, HD 1, and H.C.R. No. 384, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND PROMOTING THE USE OF NATIVE PLANTS IN LANDSCAPING," was Finally adopted, with Representative Anderson voting no.

At 11:09 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:42 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1155 to 1157) were read by the Clerk and were placed on file:

Sen. Com. Rep. No. 1155, returning House Bill No. 3164, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTIONS 4, 5, AND 6 OF THE CONSTITUTION OF THE STATE OF HAWAII TO REPEAL MINIMUM REPRESENTATION FOR BASIC ISLAND UNITS AND TO CHANGE THE BASIS USED FOR REAPPORTIONMENT," which passed Third Reading in the Senate on April 27, 1988.

Sen. Com. No. 1155-A, informing the House that the Senate has reconsidered its action taken on April 4, 1988, on the passage of H.B. No. 3164.

Sen. Com. No. 1156, informing the House that Senate Bill No. 3206, SD 1, HD 1, had passed Final Reading in the Senate on April 27, 1988.

Sen. Com. No. 1157, informing the House that the following House Bills have passed Final Reading in the Senate on April 27, 1988:

H.B. No. 2046, HD 1, SD 2, CD 1, "RELATING TO HEALTH";

H.B. No. 2027, HD 1, SD 2, CD 1, "RELATING TO BUSINESS AND ECONOMIC DEVELOPMENT";

H.B. No. 1361, HD 2, SD 1, CD 1, "RELATING TO THE GENERAL EXCISE TAX";

H.B. No. 2028, HD 2, SD 1, CD 1, "MAKING AN APPROPRIATION FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR A SPACE PORT IN HAWAII";

H.B. No. 3496, SD 1, CD 1, "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

H.B. No. 2003, SD 1, CD 1, "RELATING TO INTERNATIONAL ARBITRATION";

H.B. No. 37, SD 1, CD 1, "RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN AND HAWAIIAN INDIVIDUALS AND ORGANIZATIONS";

H.B. No. 3292, HD 1, SD 2, CD 1, "RELATING TO TRUSTEES";

H.B. No. 3396, HD 1, SD 1, "RELATING TO CONVENTION CENTER";

H.B. No. 2032, HD 2, SD 2, CD 2, "RELATING TO TELECOMMUNICATIONS AND INFORMATION";

H.B. No. 2096, SD 2, CD 2, "RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION";

H.B. No. 3068, SD 1, CD 2, "RELATING TO MEDICAL PEER REVIEW";

H.B. No. 2080, HD 1, SD 1, CD 2, "RELATING TO FORFEITURE";

H.B. No. 3408, HD 2, SD 2, CD 2, "RELATING TO A CIVIL RIGHTS COMMISSION";

H.B. No. 2483, HD 2, SD 2, CD 1, "RELATING TO THE JUDICIARY";

S.B. No. 1265, SD 1, HD 1, CD 1, "RELATING TO AQUATIC RECREATION";

S.B. No. 3188, SD 1, HD 2, CD 1, "RELATING TO HOUSING";

S.B. No. 3195, SD 2, HD 2, CD 1, "RELATING TO HOUSING";

S.B. No. 3166, HD 1, CD 1, "RELATING TO STATE GOVERNMENT";

S.B. No. 2988, SD 2, HD 2, CD 1, "AMENDMENT AND APPROPRIATION TO THE STATE RENT SUPPLEMENT PROGRAM";

S.B. No. 112, SD 1, HD 1, CD 1, "RELATING TO CAMPAIGN CONTRIBUTIONS";

S.B. No. 1725, SD 1, HD 2, CD 1, "RELATING TO PUBLIC ASSISTANCE";

S.B. No. 3093, SD 1, HD 1, CD 1, "RELATING TO REMNANTS OF PUBLIC LANDS";

S.B. No. 3401, SD 1, HD 1, CD 1, "RELATING TO LAND EXCHANGES";

S.B. No. 3178, SD 1, HD 1, CD 1, "RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION";

S.B. No. 2744, SD 2, HD 2, CD 1, "RELATING TO PUBLIC LANDS";

S.B. No. 118, SD 2, HD 1, CD 1, "RELATING TO THE ESTABLISHMENT OF A JUVENILE JUSTICE INFORMATION SYSTEM";

S.B. No. 2332, SD 1, HD 1, CD 1, "RELATING TO ADOPTION";

S.B. No. 2523, SD 1, HD 1, CD 1, "RELATING TO PARKING VIOLATIONS";

S.B. No. 2565, SD 1, HD 1, CD 1, "RELATING TO UNIFORM CONTROLLED SUBSTANCE";

S.B. No. 2451, SD 2, HD 1, CD 1, "RELATING TO ACCIDENTAL INJURY LEAVE";

S.B. No. 2559, SD 1, HD 1, CD 1, "RELATING TO SENTENCING AND PAROLE";

S.B. No. 2922, SD 1, HD 1, CD 1, "RELATING TO UNIFORM CONTROLLED SUBSTANCE";

S.B. No. 2418, SD 2, HD 1, CD 1, "RELATING TO THE RELEASE OF MORTGAGES OF REAL PROPERTY OR FIXTURES";

S.B. No. 2112, HD 1, CD 1, "RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS";

S.B. No. 2923, SD 1, HD 1, CD 1, "RELATING TO UNIFORM CONTROLLED SUBSTANCE";

S.B. No. 2924, SD 1, HD 1, CD 1, "RELATING TO NEGLIGENT INJURY AND NEGLIGENT HOMICIDE";

S.B. No. 3264, SD 1, HD 1, CD 2, "RELATING TO CAPITAL IMPROVEMENT PROJECTS";

S.B. No. 3197, SD 2, HD 2, CD 2, "RELATING TO CONVEYANCE TAX";

S.B. No. 2124, SD 1, HD 1, CD 2, "RELATING TO FIREARMS AND EXPLOSIVES";

S.B. No. 2522, HD 1, CD 2, "RELATING TO LAND COURT REGISTRATION"; and

S.B. No. 2441, SD 1, HD 1, CD 2, "RELATING TO FIREARMS AND AMMUNITION".

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 489 to 493) were read by the Clerk and were disposed of as follows:

H.R. No. 489, entitled: "HOUSE RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, REGULAR SESSION OF 1988," was jointly offered by Representatives Okamura, Apo, Liu and Anderson.

On motion by Representative Apo, seconded by Representative Anderson and carried, H.R. No. 489 was adopted.

H.R. No. 490, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO DESIGNATE WHICH OF THE EMPLOYEES AND OFFICERS OF THE HOUSE BE GIVEN ADDITIONAL EMPLOYMENT TO MEET THE WORK AFTER THE SESSION AND IS FURTHER AUTHORIZED TO DETERMINE THE PERIOD OF EMPLOYMENT FOR EACH," was jointly offered by Representatives Okamura, Apo, Liu and Anderson.

On motion by Representative Apo, seconded by Representative Anderson and carried, H.R. No. 490 was adopted.

H.R. No. 491, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO EXPEND SUCH SUMS TO COMPLETE THE WORK OF THE FOURTEENTH LEGISLATURE, REGULAR SESSION OF 1988, INCLUDING THE CARRYING OUT OF ANY OFFICIAL LEGISLATIVE BUSINESS IN THE INTERIM BETWEEN THE 1988 AND 1989 SESSIONS," was jointly offered by Representatives Okamura, Apo, Liu and Anderson.

On motion by Representative Apo, seconded by Representative Anderson and carried, H.R. No. 491 was adopted.

H.R. No. 492, entitled: "HOUSE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1988 AND THE CONVENING OF THE REGULAR SESSION OF 1989," was jointly offered by Representatives Okamura, Apo, Liu and Anderson.

On motion by Representative Apo, seconded by Representative Anderson and carried, H.R. No. 492 was adopted.

H.R. No. 493, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 62ND DAY," was jointly offered by Representatives Okamura, Apo, Liu and Anderson.

On motion by Representative Apo, seconded by Representative Anderson and carried, H.R. No. 493 was adopted.

Representative Say then rose and stated:

"Before we adjourn sine die, I would just like to say, 'Thank you very much,' to the security guards who have helped us during the past week as far as the trauma that we all went through.

"Thank you."

Representative Hagino then rose and stated:

"Before adjourning, I just wanted to say 'Goodbye' to one of our members who will be leaving us, and that is Representative Levin. Earlier, Representative Hirono and I presented him with a lei which he is wearing. Good luck, Andy. And also although he is not here, I just want it for the record to say, 'Farewell' to Hal Jones. We battled each other on a lot of grounds and we've taken different positions, sometimes diametrically opposite positions through the last four years, but I have always considered him a friend and someone that I could talk to, and I wanted the Journal to reflect that, that I've always respected him.

"Thank you."

Representative Alcon then rose and stated:

"Mr. Speaker, as the Vice Speaker of the House, I would like to thank everybody for being so nice and courteous to me. We had some grumblings but that's alright, we all love each other.

"Thank you very much."

ADJOURNMENT

Representative Apo moved that the House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, adjourn Sine Die, seconded by Representative Okamura.

At 11:50 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 162 informing the House that on April 28, 1988, he signed the following bill into law:

Senate Bill No. 2890 as Act 25, entitled: "RELATING TO MILK CONTROL".

Gov. Msg. No. 163 informing the House that on May 4, 1988, he signed the following bills into law:

Senate Bill No. 2319 as Act 26, entitled: "RELATING TO PUBLIC MONEY AND PUBLIC CONTRACTS; and

Senate Bill No. 2328 as Act 27, entitled: "RELATING TO DEPOSITS OF PUBLIC FUNDS".

Gov. Msg. No. 164 informing the House that on May 6, 1988, he signed the following bill into law:

House Bill No. 3501 as Act 28 entitled: "RELATING TO THE ISSUANCE OF BONDS BY THE STATE".

Gov. Msg. No. 165 informing the House that on May 11, 1988, he signed the following bills into law:

Senate Bill No. 2065 as Act 29, entitled, "RELATING TO REGULATION";

Senate Bill No. 2272 as Act 30, entitled: "RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES";

Senate Bill No. 2294 as Act 31, entitled: RELATING TO HUNTING";

Senate Bill No. 2380 as Act 32, entitled: "RELATING TO NATURAL AREA RESERVES SYSTEM";

Senate Bill No. 2603 as Act 33, entitled: "RELATING TO TAXATION OF TRUSTS";

Senate Bill No. 2770 as Act 34, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

Senate Bill No. 2821 as Act 35, entitled: "RELATING TO WORKERS' COMPENSATION INSURANCE";

Senate Bill No. 2822 as Act 36, entitled: "RELATING TO EMPLOYMENT SECURITY";

Senate Bill No. 2823 as Act 37, entitled: "RELATING TO WORKERS' COMPENSATION";

Senate Bill No. 2824 as Act 38, entitled: "RELATING TO THE COMMISSION ON EMPLOYMENT AND HUMAN RESOURCES";

Senate Bill No. 2847 as Act 39, entitled: "RELATING TO HIGHWAY SAFETY";

Senate Bill No. 2855 as Act 40, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 3030 as Act 41, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 3037 as Act 42, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 3185 as Act 43, entitled: "RELATING TO THE EXEMPTION OF SALES OF ALCOHOL FUELS";

Senate Bill No. 3211 as Act 44, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 3220 as Act 45, entitled: "RELATING TO PERSONAL CARE SERVICES";

Senate Bill No. 3231 as Act 46, entitled: "RELATING TO PUBLIC EMPLOYMENT";

Senate Bill No. 3256 as Act 47, entitled: "RELATING TO PERSONNEL OF THE CHILD SUPPORT ENFORCEMENT AGENCY";

House Bill No. 2356 as Act 48, entitled: "RELATING TO COMMERCIAL EMPLOYMENT AGENCIES";

House Bill No. 2878 as Act 49, entitled: "RELATING TO INSURANCE";

House Bill No. 3295 as Act 50, entitled: "RELATING TO MORTGAGE LOANS";

House Bill No. 3338 as Act 51, entitled: "RELATING TO UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN TRADE OR COMMERCE";

House Bill No. 3486 as Act 52, entitled: "RELATING TO OATHS";

House Bill No. 3487 as Act 53, entitled: "RELATING TO THE HAWAII CODE OF MILITARY JUSTICE";

Senate Bill No. 2486 as Act 54, entitled: "RELATING TO THE GRANT OF A FRANCHISE FOR THE ISLAND OF LANAI TO MAUI ELECTRIC COMPANY, LIMITED";

Senate Bill No. 2569 as Act 55, entitled: "RELATING TO CREDIT CARD OFFENSES";

Senate Bill No. 2641 as Act 56, entitled: "RELATING TO WATER POLLUTION";

Senate Bill No. 2726 as Act 57, entitled: "RELATING TO SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES OF COUNTIES AND THE SALE AND LEASEBACK THEREOF";

Senate Bill No. 2764 as Act 58, entitled: "RELATING TO THE ESTABLISHMENT OF A COMPUTERIZED FINGERPRINT IDENTIFICATION SYSTEM";

Senate Bill No. 2774 as Act 59, entitled: "RELATING TO CONTROLLED SUBSTANCES";

Senate Bill No. 2780 as Act 60, entitled: "RELATING TO CONSUMER PROTECTION";

Senate Bill No. 2820 as Act 61, entitled: "RELATING TO PAYMENT OF WAGES AND OTHER COMPENSATION LAW";

Senate Bill No. 2838 as Act 62, entitled: "RELATING TO WATER SAFETY ENFORCEMENT"; and

Senate Bill No. 3209 as Act 63, entitled: "RELATING TO ENVIRONMENTAL QUALITY".

Gov. Msg. No. 166 returning Senate Bill No. 3264, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

May 13, 1988

**STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3264**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3264, entitled "A Bill for an Act Relating to Capital Improvement Projects."

The purpose of Senate Bill No. 3264 is to authorize certain capital improvement projects and to appropriate funds for those capital improvement projects.

The bill appears to violate section 9 of Article VII of the State Constitution. Section 9 of Article VII and section 37-93, Hawaii Revised Statutes, which implements section 9 of Article VII, provide that the Legislature may make appropriations from the general fund in excess of the general fund expenditure ceiling only by: (1) a two-thirds vote of the members to which each house of the Legislature is entitled; and after (2) setting forth the dollar amount and rate by which the appropriations exceed the general fund expenditure ceiling; and (3) setting forth the reasons for exceeding the expenditure ceiling.

Senate Bill No. 3264 was apparently not enacted in accordance with these requirements even though it makes appropriations for fiscal year 1987-88 which exceed that fiscal year's expenditure ceiling. This may have resulted from unintended references to fiscal year 1987-88 in section 2 of the bill.

According to section 2 of this bill, the appropriations in it are made from the general fund for fiscal year 1987-88. Section 6 of the bill provides that appropriations made for fiscal year 1988-89 shall lapse on June 30, 1990. However, no appropriation is made by the bill for that fiscal year. This technical ambiguity suggests that there may be an erroneous fiscal year reference in either section 2 or section 6. If the fiscal year references in either section should have been to 1988-89, the appropriations would not lapse until June 30, 1990, and the appropriations made in the bill would be well within the general fund expenditure ceiling for fiscal year 1988-89, inasmuch as the ceiling can accommodate the total amount appropriated by the bill. On the other hand, if the fiscal year reference in section 6 of the bill were incorrect and it could be corrected without further legislative action, the funds appropriated in section 2 for fiscal year 1987-88 would not lapse until June 30, 1990, but the general fund expenditure ceiling would still have been exceeded.

Because of the technical ambiguities, it is impossible to tell from the bill which of the two sections contain the error. Thus, I am unable to correct the measure pursuant to section 21 of the bill, and it appears that only the Legislature can address the bill's seeming constitutional defect.

I also note that section 11 of Article III of the Constitution of the State of Hawaii provides that any

portion of any appropriation which is unencumbered at the close of the fiscal period for which the appropriation is made shall lapse at the close of such fiscal period. Thus, unencumbered appropriations made for the fiscal year 1987-88 by this bill will lapse on June 30, 1988. As a practical matter, the appropriations made in this bill cannot be encumbered in any substantial amount by June 30, 1988.

For the foregoing reasons, I am returning Senate Bill No. 3264 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3264, entitled "A Bill for an Act Relating to Capital Improvement Projects," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3264 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3264 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 13th day of May, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 167 returning House Bill No. 2032, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

May 16, 1988

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2032**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2032, entitled "A Bill for an Act Relating to Telecommunications and Information."

The purpose of this bill is to create a vehicle through which the State of Hawaii could become a leader in the field of telecommunications and information technology in the Pacific Basin and throughout the world, and to appropriate funds to accomplish these ends.

The appropriation found in section 14 of the bill does not specify the fiscal period for which the appropriation is being made as required by section 11 of Article VII of the Hawaii State Constitution, and therefore the appropriation from general revenues violates the constitutional requirement that a general fund appropriation be for a "specified" period.

In addition, I have been advised that part of the appropriations made for fiscal year 1987-1988 by the bill exceeds the constitutionally imposed general fund expenditure ceiling. Section 9 of Article VII of the Hawaii State Constitution provides, in pertinent part, that "[n]o appropriations in excess of the general fund expenditure ceiling shall be authorized in any legislative session unless the legislature shall, by two-thirds vote of the members to which each house of the legislature is entitled, set forth the dollar amount and the rate by which the ceiling will be exceeded and the reasons therefor." Section 37-93(b) of the Hawaii Revised Statutes, a statute implementing the constitutional provision above-described, requires that the information be included in each act containing an appropriation that exceeds the expenditure ceiling. Because the bill does not comply with any of these constitutional and statutory requirements, the entire appropriation appears to be constitutionally defective.

For the foregoing reasons, I am returning House Bill No. 2032 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2032, entitled "A Bill for an Act Relating to Telecommunications and Information," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2032 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2032 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of May, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 168 transmitting copies of the Annual Report of activities under the Job Training Partnership Act prepared by the Hawaii Job Training Coordinating Council for Program Year 1986 (July 1, 1986 - June 30, 1987).

Gov. Msg. No. 169 transmitting copies of the Annual Report prepared by the Department of Personnel Services.

Gov. Msg. No. 170 informing the House that on May 16, 1988, he signed the following bills into law:

Senate Bill No. 2045 as Act 64, entitled: "RELATING TO ENERGY CONSERVATION";

Senate Bill No. 2064 as Act 65, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 2072 as Act 66, entitled: "RELATING TO EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING UNIT 5 AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";

Senate Bill No. 2295 as Act 67, entitled: "RELATING TO WILDLIFE";

Senate Bill No. 2485 as Act 68, entitled: "RELATING TO ENDANGERED SPECIES";

Senate Bill No. 2832 as Act 69, entitled: "RELATING TO TAXATION OF BANKS AND FINANCIAL CORPORATIONS";

Senate Bill No. 2738 as Act 70, entitled: "RELATING TO HAWAII STATE PLAN";

Senate Bill No. 2759 as Act 71, entitled: "RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

Senate Bill No. 2793 as Act 72, entitled: "RELATING TO HORIZONTAL PROPERTY REGIME";

Senate Bill No. 2788 as Act 73, entitled: "RELATING TO CEMETERIES AND FUNERAL TRUSTS";

Senate Bill No. 2795 as Act 74, entitled: "RELATING TO PHARMACISTS AND PHARMACY";

Senate Bill No. 2856 as Act 75, entitled: "RELATING TO THE VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND";

Senate Bill No. 3163 as Act 76, entitled: "RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE";

Senate Bill No. 3168 as Act 77, entitled: "RELATING TO EMPLOYMENT SECURITY";

Senate Bill No. 3175 as Act 78, entitled: "RELATING TO DEPOSIT AND INVESTMENT OF STATE FUNDS";

Senate Bill No. 3187 as Act 79, entitled: "RELATING TO STATISTICAL BOUNDARIES";

Senate Bill No. 3216 as Act 80, entitled: "RELATING TO MEDICAL RECORDS";

Senate Bill No. 3218 as Act 81, entitled: "RELATING TO CERTIFICATIONS FOR TAX EXEMPTIONS";

Senate Bill No. 3221 as Act 82, entitled: "RELATING TO REAL PROPERTY LIENS";

House Bill No. 2119 as Act 83, entitled: "RELATING TO TORTS";

House Bill No. 2354 as Act 84, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

House Bill No. 2358 as Act 85, entitled: "RELATING TO DENTISTRY";

House Bill No. 2426 as Act 86, entitled: "RELATING TO NUISANCES";

House Bill No. 2429 as Act 87, entitled: "RELATING TO MORTGAGE LOAN EXEMPTION";

House Bill No. 2437 as Act 88, entitled: "RELATING TO THE ATTORNEY GENERAL";

House Bill No. 2242 as Act 89, entitled: "RELATING TO THE PENAL CODE";

House Bill No. 2448 as Act 90, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 2764 as Act 91, entitled: "RELATING TO THE HAWAII PENAL CODE";

House Bill No. 3548 as Act 92, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR"; and

House Bill No. 3571 as Act 93, entitled: "RELATING TO UNCLAIMED PROPERTY".

Gov. Msg. No. 171 transmitting copies of the 1987 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 172 informing the House that on May 24, 1988, he signed the following bills into law:

House Bill No. 2083 as Act 94, entitled: "RELATING TO DISPLACED PERSONS";

House Bill No. 2085 as Act 95, entitled: "RELATING TO DISPLACED PERSONS";

House Bill No. 3396 as Act 96, entitled: "RELATING TO CONVENTION CENTER";

House Bill No. 2276 as Act 97, entitled: "RELATING TO INSURANCE";

House Bill No. 2282 as Act 98, entitled: "RELATING TO INSURANCE";

House Bill No. 2349 as Act 99, entitled: "RELATING TO PSYCHOLOGY";

House Bill No. 2428 as Act 100, entitled: "RELATING TO MORTGAGES";

House Bill No. 3283 as Act 101, entitled: "RELATING TO LICENSES ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS OR ANY BOARD OR COMMISSION THEREUNDER";

House Bill No. 3512 as Act 102, entitled: "RELATING TO INCOME TAXATION";

House Bill No. 3540 as Act 103, entitled: "RELATING TO HARBORS";

House Bill No. 3560 as Act 104, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";

House Bill No. 3574 as Act 105, entitled: "MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

Senate Bill No. 2003 as Act 106, entitled: "RELATING TO TRAVEL AGENCIES";

Senate Bill No. 2046 as Act 107, entitled: "RELATING TO POLLUTION CONTROL FACILITIES";

Senate Bill No. 2265 as Act 108, entitled: "RELATING TO A JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF HEALTH";

Senate Bill No. 2790 as Act 109, entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 2794 as Act 110, entitled: "RELATING TO MEDICINE AND SURGERY"; and

Senate Bill No. 2797 as Act 111, entitled: "RELATING TO PODIATRISTS".

Gov. Msg. No. 173 informing the House that on May 26, 1988, he signed the following bills into law:

Senate Bill No. 1471 as Act 112, entitled: "RELATING TO A VETERANS' MEMORIAL";

House Bill No. 1700 as Act 113, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 225 as Act 114, entitled: "RELATING TO A VETERANS CEMETERY"; and

House Bill No. 2532 as Act 115, entitled: "RELATING TO VETERANS".

Gov. Msg. No. 174 transmitting copies of the following reports prepared by the Department of Health: (1) H.C.R. 267 - Relating to the Environmental Assessment Process; (2) School Health Services Branch Annual Report 1986-1987; and (3) Act 216, Section 48, A Pilot Program for the Safe Disposal of Hazardous Agricultural Pesticides.

Gov. Msg. No. 175 transmitting copies of a report produced by the Hawaii Criminal Justice Data Center entitled, "Juveniles Arrested in 1985 in the City and County of Honolulu for Serious Offenses."

Gov. Msg. No. 176 informing the House that on May 31, 1988, he signed the following bills into law:

House Bill No. 2042 as Act 116, entitled: "MAKING AN APROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

House Bill No. 2127 as Act 117, entitled: "RELATING TO FISHING FEES";

House Bill No. 2310 as Act 118, entitled: "MAKING AN APPROPRIATION FOR IMPROVING TSUNAMI PREPAREDNESS IN HAWAII";

House Bill No. 2311 as Act 119, entitled: "MAKING AN APPROPRIATION FOR IMPROVING THE STATEWIDE TSUNAMI WARNING, RESPONSE, AND INFORMATION SYSTEM";

House Bill No. 2339 as Act 120, entitled: "RELATING TO SOLICITATION";

House Bill No. 2353 as Act 121, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

House Bill No. 2404 as Act 122, entitled: "RELATING TO PROFESSIONAL CORPORATIONS";

House Bill No. 2527 as Act 123, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 3522 as Act 124, entitled: "RELATING TO THE COUNCIL ON REVENUES";

House Bill No. 3484 as Act 125, entitled: "RELATING TO CHILD CARE";

House Bill No. 3593 as Act 126, entitled: "RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";

House Bill No. 3611 as Act 127, entitled: "RELATING TO BANKING";

Senate Bill No. 21 as Act 128, entitled: "RELATING TO REGULATION OF MOTOR VEHICLE REPAIRS";

Senate Bill No. 2029 as Act 129, entitled: "RELATING TO SURETY BONDS";

Senate Bill No. 2461 as Act 130, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 2796 as Act 131, entitled: "RELATING TO PILOTAGE";

Senate Bill No. 2803 as Act 132, entitled: "RELATING TO THE DIRECTOR'S SUBPOENA POWER";

Senate Bill No. 2870 as Act 133, entitled: "RELATING TO MEDICINE AND SURGERY";

Senate Bill No. 3011 as Act 134, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 3200 as Act 135, entitled: "RELATING TO THE HAWAII STATE DEFENSE FORCE";

Senate Bill No. 3224 as Act 136, entitled: "RELATING TO PUBLIC LANDS"; and

Senate Bill No. 3135 as Act 137, entitled: "RELATING TO AN INTENSIVE PAROLE SUPERVISION PILOT PROGRAM".

Gov. Msg. No. 177 returning House Bill No. 3596, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 31, 1988

STATE OF OBJECTIONS

TO HOUSE BILL NO. 3596

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3596, entitled "A Bill for an Act Relating to Consumer Protection."

The purposes of this bill are to place the Office of Consumer Protection directly under the administration of the Director of Commerce and Consumer Affairs and to resolve areas of conflict or confusion in the field of consumer protection in Hawaii.

A companion bill, Senate Bill No. 2780, was also passed by the Legislature during the Regular Session of 1988. Since I approved Senate Bill No. 2780 on May 10, 1988, as Act 60, there is no need to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 3596 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3596, entitled "A Bill for an Act Relating to Consumer Protection," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3596 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3596 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 31st day of May, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 178 informing the House that on June 1, 1988, he signed the following bills into law:

Senate Bill No. 2031 as Act 138, entitled: "RELATING TO FLAGS";

Senate Bill No. 2050 as Act 139, entitled: "RELATING TO HEALTH";

Senate Bill No. 2052 as Act 140, entitled:
"RELATING TO HEALTH";

Senate Bill No. 2186 as Act 141, entitled:
"RELATING TO STATUTORY REVISION:
AMENDING, REENACTING, OR REPEALING
VARIOUS PROVISIONS OF THE HAWAII REVISED
STATUTES FOR THE PURPOSE OF CORRECTING
ERRORS, CLARIFYING LANGUAGE, CORRECTING
REFERENCES, AND DELETING OBSOLETE OR
UNNECESSARY PROVISIONS";

Senate Bill No. 2363 as Act 142, entitled:
"RELATING TO THE ISSUANCE OF SPECIAL
PURPOSE REVENUE BONDS TO ASSIST
MANUFACTURING ENTERPRISES";

Senate Bill No. 2418 as Act 143, entitled:
"RELATING TO THE RELEASE OF MORTGAGES
OF REAL PROPERTY OR FIXTURES";

Senate Bill No. 2760 as Act 144, entitled:
"RELATING TO THE JUVENILE JUSTICE
INTERAGENCY BOARD";

Senate Bill No. 2798 as Act 145, entitled:
"RELATING TO REAL ESTATE";

Senate Bill No. 2922 as Act 146, entitled:
"RELATING TO UNIFORM CONTROLLED
SUBSTANCE";

Senate Bill No. 2980 as Act 147, entitled:
"RELATING TO CORRECTIONS";

Senate Bill No. 3204 as Act 148, entitled:
"RELATING TO ENVIRONMENTAL EMERGENCY
RESPONSE";

Senate Bill No. 3210 as Act 149, entitled:
"RELATING TO VITAL STATISTICS";

Senate Bill No. 3229 as Act 150, entitled:
"RELATING TO PUBLIC HIGHWAYS";

House Bill No. 2179 as Act 151, entitled: "MAKING
AN APPROPRIATION FOR NORI RESEARCH";

House Bill No. 3441 as Act 152, entitled: "RELATING
TO THE CAPITAL LOAN PROGRAM";

House Bill No. 3561 as Act 153, entitled: "RELATING
TO THE HOUSING FINANCE AND DEVELOPMENT
CORPORATION";

House Bill No. 3568 as Act 154, entitled: "RELATING
TO ADMINISTRATIVE PROCESS TO ESTABLISH
AND ENFORCE CHILD SUPPORT OBLIGATIONS";
and

House Bill No. 3635 as Act 155, entitled: "RELATING
TO FORGERIES".

Gov. Msg. No. 179 returning Senate Bill No. 2322,
without his approval and with his statement of objections
relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 1, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2322

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution
of the State of Hawaii, I am returning herewith, without
my approval, Senate Bill No. 2322, entitled "A Bill for an
Act Relating to Industrial Loan Companies."

The purpose of Senate Bill No. 2322 is to amend
Section 408-14.7, Hawaii Revised Statutes, to allow
industrial loan companies to use recent real property tax
assessments as a means of valuing residential properties.

However, Senate Bill No. 2322 is duplicative of House
Bill No. 2354, which was also passed by the Legislature
during the Regular Session of 1988. Since I approved
House Bill No. 2354 (Act 84), which will accomplish the
purpose of Senate Bill No. 2322, there is no necessity to
also approve this bill.

For the foregoing reasons, I am returning Senate Bill
No. 2322 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the
Constitution of the State of Hawaii, the Governor is
required to give notice, by a proclamation, of the
Governor's plan to return with the Governor's objections
any bill presented to the Governor less than ten days
before adjournment sine die or presented to the Governor
after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2322 entitled "A Bill for
an Act Relating to Industrial Loan Companies", passed by
the Legislature, was presented to the Governor within the
aforementioned period; and

WHEREAS, Senate Bill No. 2322 is unacceptable to the
Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of
the State of Hawaii, hereby issue this proclamation,
pursuant to the provisions of Section 16 of Article III of
the Constitution of the State of Hawaii, giving notice of
my plan to return Senate Bill No. 2322 with my objections
thereon to the Legislature as provided by said Section 16
of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 1st day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 180 informing the House that on June
2, 1988, he signed the following bills into law:

House Bill No. 3494 as Act 156, entitled: "RELATING
TO MEASUREMENT STANDARDS";

House Bill No. 412 as Act 157, entitled: "RELATING
TO MASSAGE";

House Bill No. 1038 as Act 158, entitled: "RELATING TO INFECTIOUS DISEASES";

House Bill No. 1604 as Act 159, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 2201 as Act 160, entitled: "RELATING TO HEALTH";

House Bill No. 2280 as Act 161, entitled: "RELATING TO ACUPUNCTURE";

House Bill No. 2346 as Act 162, entitled: "RELATING TO HOUSING";

House Bill No. 2390 as Act 163, entitled: "RELATING TO THE GENERAL EXCISE TAX";

House Bill No. 2706 as Act 164, entitled: "RELATING TO THE MOLOKAI IRRIGATION AND WATER UTILIZATION PROJECT";

House Bill No. 3151 as Act 165, entitled: "RELATING TO HIV ANTIBODY TESTING"; and

House Bill No. 3324 as Act 166, entitled: "RELATING TO FORECLOSURES ON CONDOMINIUM AND COOPERATIVE APARTMENTS".

Gov. Msg. No. 181 returning House Bill No. 2535, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 2, 1988

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2535**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2535, entitled "A Bill for an Act Relating to Taxation."

The purpose of this bill is to exempt from the general excise tax the commission income of travel agencies derived from the sale of airline tickets for the reason (according to the bill) that 49 U.S.C. § 1513(a) prohibits states from taxing the sale of air transportation.

This bill is premised upon two erroneous legal conclusions: (1) that 49 U.S.C. § 1513(a) prohibits taxing travel agencies' commissions and (2) that travel agencies are taxed on the income of airlines. The difficulty with the presence of these errors in the bill and the committee report is that they make it appear that passage of this bill is required by federal law, when it is clearly not. What impact this error will have on other laws, or the claims of other airline related industries, is difficult to say. There is certainly some risk in allowing this interpretation of federal law to become part of the law in Hawaii.

These legal conclusions are erroneous for the following reasons:

First, although 49 U.S.C. § 1513(a) prohibits states from taxing the sale of air transportation, it does not

prohibit the states from taxing travel agencies' commissions from airline ticket sales. In pertinent part, 49 U.S.C. § 1513(a) provides that "[n]o State . . . shall levy or collect a tax . . . directly or indirectly . . . on the sale of air transportation or on the gross receipts derived therefrom." However, the general excise tax imposes a privilege tax upon service businesses generally, including travel agencies. Section 237-13(6), Hawaii Revised Statutes, provides that "[u]pon every person engaging or continuing within the State in any service business or calling not otherwise specifically taxed under this chapter, there is likewise hereby levied and shall be assessed a tax equal to four per cent of the gross income of any such business." The general excise tax imposed on a travel agency is imposed upon the gross income of the travel agency business, not upon the sale of air transportation or the gross receipts derived therefrom by the airlines. Airlines, not travel agencies, are in the business of providing and selling air transportation.

Second, travel agencies are not in the business of providing and selling air transportation. They are in the business of acting as "an intermediary between a person seeking to purchase travel services and any person seeking to sell travel services," as defined in section 468K-1, Hawaii Revised Statutes. They generally receive a commission of ten percent of the ticket price for their ticket handling services. The general excise tax is imposed upon their gross income from ticket brokerage services, not from the sale of air transportation. Therefore, while 49 U.S.C. § 1513(a) prohibits state taxation of air transportation, it does not prohibit state taxation of travel agencies' brokerage services.

Furthermore, since federal law does not prohibit the taxation of travel agents, enacting an exemption for an occupation which is taxed upon commissions would create a bad precedent and invite other commission occupations to also request exemptions from the general excise tax.

For the foregoing reasons, I am returning House Bill No. 2535 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2535, entitled "A Bill for an Act Relating to Taxation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2535 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2535 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 2nd day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 182 transmitting copies of the 1988 Report to the Governor on Employment prepared by the Commission on Employment and Human Resources, pursuant to Chapter 202, Hawaii Revised Statutes, as amended.

Part II of the report presents the Commission's recommended scope of the Employment Functional Plan. This represents the important step "to initiate development of a comprehensive statewide employment plan," as requested by S.R. 139-86.

Gov. Msg. No. 183 informing the House that on June 6, 1988, he signed the following bills into law:

House Bill No. 1361 as Act 167, entitled: "RELATING TO THE GENERAL EXCISE TAX";

House Bill No. 2031 as Act 168, entitled: "RELATING TO INTERNATIONAL SERVICES";

House Bill No. 2048 as Act 169, entitled: "RELATING TO SMOKING";

House Bill No. 2253 as Act 170, entitled: "RELATING TO SCHOOL VANDALISM";

House Bill No. 3348 as Act 171, entitled: "RELATING TO PROBATE";

House Bill No. 3457 as Act 172, entitled: "RELATING TO OIL";

House Bill No. 3518 as Act 173, entitled: "RELATING TO THE GENERAL EXCISE TAXES";

House Bill No. 3567 as Act 174, entitled: "RELATING TO THE STATE TORT LIABILITY ACT";

House Bill No. 3515 as Act 175, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 2389 as Act 176, entitled: "RELATING TO PENSIONER'S BONUS";

House Bill No. 2273 as Act 177, entitled: "RELATING TO EMBLEMS AND SYMBOLS";

House Bill No. 2274 as Act 178, entitled: "RELATING TO EMBLEMS AND SYMBOLS"; and

House Bill No. 2032 as Act 1-Special Session of 1988, entitled: "RELATING TO TELECOMMUNICATIONS AND INFORMATION".

Gov. Msg. No. 184 informing the House that on June 7, 1988, he signed the following bills into law:

Senate Bill No. 2575 as Act 179, entitled: "RELATING TO ARRESTS";

Senate Bill No. 2712 as Act 180, entitled: "RELATING TO FAMILY COURT";

Senate Bill No. 2713 as Act 181, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 2761 as Act 182, entitled: "RELATING TO THE CRIMINAL JUSTICE DATA INTERAGENCY BOARD";

Senate Bill No. 2765 as Act 183, entitled: "RELATING TO CIVIL IDENTIFICATION";

Senate Bill No. 2926 as Act 184, entitled: "RELATING TO THE CRIMINAL PROCEDURE";

House Bill No. 839 as Act 185, entitled: "RELATING TO TAX CREDITS";

House Bill No. 2003 as Act 186, entitled: "RELATING TO INTERNATIONAL ARBITRATION";

House Bill No. 2035 as Act 187, entitled: "RELATING TO CAPTIVE INSURANCE";

House Bill No. 2037 as Act 188, entitled: "RELATING TO NEW MOTOR VEHICLE WARRANTIES";

House Bill No. 2092 as Act 189, entitled: "RELATING TO JURORS";

House Bill No. 2146 as Act 190, entitled: "RELATING TO EMPLOYEE STOCK OWNERSHIP PROGRAMS";

House Bill No. 2231 as Act 191, entitled: "RELATING TO PARKING";

House Bill No. 2268 as Act 192, entitled: "RELATING TO HEALTH";

House Bill No. 2278 as Act 193, entitled: "RELATING TO THE HAWAII CRIMINAL JUSTICE COMMISSION";

House Bill No. 2797 as Act 194, entitled: "RELATING TO THE DEPARTMENT OF HEALTH";

House Bill No. 3041 as Act 195, entitled: "RELATING TO THE DIAMOND HEAD STATE MONUMENT";

House Bill No. 3261 as Act 196, entitled: "RELATING TO FINANCIAL INSTITUTIONS";

House Bill No. 3286 as Act 197, entitled: "RELATING TO LICENSING OF PSYCHOLOGISTS";

House Bill No. 3528 as Act 198, entitled: "RELATING TO DISPENSING OPTICIANS";

House Bill No. 3523 as Act 199, entitled: "RELATING TO INCOME TAX REFUNDS"; and

House Bill No. 3570 as Act 200, entitled: "RELATING TO SUPPORT".

Gov. Msg. No. 185 informing the House that on June 8, 1988, he signed the following bills into law:

Senate Bill No. 2405 as Act 201, entitled: "RELATING TO HEALTH INSURANCE";

Senate Bill No. 986 as Act 202, entitled: "RELATING TO INSURANCE";

Senate Bill No. 3206 as Act 203, entitled: "RELATING TO MATERNAL AND CHILD HEALTH SERVICES";

House Bill No. 2195 as Act 204, entitled: "RELATING TO COVENANTS IN LEASES";

House Bill No. 3190 as Act 205, entitled: "RELATING TO HEALTH";

Senate Bill No. 2336 as Act 206, entitled: "RELATING TO HANDICAPPED PERSONS";

Senate Bill No. 2633 as Act 207, entitled: "RELATING TO THE HEARING-IMPAIRED";

Senate Bill No. 1725 as Act 208, entitled: "RELATING TO PUBLIC ASSISTANCE";

Senate Bill No. 1450 as Act 209, entitled: "RELATING TO PERSONAL CARE SERVICES";

House Bill No. 2604 as Act 210, entitled: "MAKING AN APPROPRIATION TO ASSIST THE MENTALLY ILL";

House Bill No. 2046 as Act 211, entitled: "RELATING TO HEALTH";

House Bill No. 2330 as Act 212, entitled: "RELATING TO NURSING";

Senate Bill No. 2955 as Act 213, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";

Senate Bill No. 3195 as Act 214, entitled: "RELATING TO HOUSING";

Senate Bill No. 3188 as Act 215, entitled: "RELATING TO HOUSING";

Senate Bill No. 3080 as Act 216, entitled: "RELATING TO THE INCOME TAX LAW";

Senate Bill No. 2988 as Act 217, entitled: "AMENDMENT AND APPROPRIATION TO THE STATE RENT SUPPLEMENT PROGRAM";

House Bill No. 2071 as Act 218, entitled: "MAKING AN APPROPRIATION FOR THE RENOVATION OF BUILDINGS OR CONSTRUCTION OF EMERGENCY SHELTERS";

House Bill No. 3408 as Act 219, entitled: "RELATING TO A CIVIL RIGHTS COMMISSION";

Senate Bill No. 251 as Act 220, entitled: "RELATING TO STATE HOLIDAYS"; and

Senate Bill No. 3264 as Act 2 - Special Session of 1988, entitled: "RELATING TO CAPITAL IMPROVEMENT PROJECTS".

Gov. Msg. No. 186 informing the House that on June 9, 1988, he signed the following bills into law:

House Bill No. 2638 as Act 221, entitled: "ESTABLISHING A COMMISSION TO CELEBRATE THE ARRIVAL OF OKINAWANS TO HAWAII";

House Bill No. 2627 as Act 222, entitled: "MAKING AN APPROPRIATION TO FUND THE STATEWIDE COLLECTION AND DISPOSAL OF HAZARDOUS WASTES PRODUCED BY FARMERS AND HOUSEHOLDERS IN HAWAII";

House Bill No. 2090 as Act 223, entitled: "RELATING TO SEAT BELTS";

House Bill No. 461 as Act 224, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES";

House Bill No. 3297 as Act 225, entitled: "RELATING TO REAL ESTATE";

House Bill No. 3529 as Act 226, entitled: "RELATING TO ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS";

House Bill No. 3533 as Act 227, entitled: "RELATING TO PETTY CASH FUNDS";

House Bill No. 3562 as Act 228, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";

Senate Bill No. 2349 as Act 229, entitled: "RELATING TO PUBLIC EMPLOYMENT";

Senate Bill No. 2451 as Act 230, entitled: "RELATING TO ACCIDENTAL INJURY LEAVE";

Senate Bill No. 2848 as Act 231, entitled: "RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS";

Senate Bill No. 3073 as Act 232, entitled: "RELATING TO TRANSPORTATION";

Senate Bill No. 3076 as Act 233, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY";

Senate Bill No. 3155 as Act 234, entitled: "RELATING TO ENVIRONMENTAL QUALITY";

Senate Bill No. 2024 as Act 235, entitled: "RELATING TO OCEAN RESOURCES";

House Bill No. 3238 as Act 236, entitled: "RELATING TO A STATEWIDE TRAIL AND ACCESS SYSTEM";

House Bill No. 3137 as Act 237, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2744 as Act 238, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 3401 as Act 239, entitled: "RELATING TO LAND EXCHANGES"; and

Senate Bill No. 3392 as Act 240, entitled: "RELATING TO THE HAWAII WING, CIVIL AIR PATROL".

Gov. Msg. No. 187 informing the House that on June 9, 1988, he signed the following bills into law:

Senate Bill No. 1712 as Act 241, entitled: "RELATING TO TRANSIENT ACCOMMODATIONS";

Senate Bill No. 2268 as Act 242, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 118 as Act 243, entitled: "RELATING TO THE ESTABLISHMENT OF A JUVENILE JUSTICE INFORMATION SYSTEM";

Senate Bill No. 2030 as Act 244, entitled:
"RELATING TO STATE GOVERNMENT";

Senate Bill No. 2172 as Act 245, entitled:
"RELATING TO KAULA";

Senate Bill No. 2362 as Act 246, entitled:
"RELATING TO ALTERNATE ENERGY";

Senate Bill No. 2784 as Act 247, entitled:
"RELATING TO CONTRACTORS";

Senate Bill No. 2882 as Act 248, entitled:
"RELATING TO SOLID WASTE MANAGEMENT
AND RECYCLING OPPORTUNITY";

Senate Bill No. 3217 as Act 249, entitled:
"RELATING TO HEALTH";

House Bill No. 416 as Act 250, entitled: "RELATING
TO PUBLIC UTILITIES";

House Bill No. 2036 as Act 251, entitled: "RELATING
TO THE MOTOR VEHICLE RENTAL INDUSTRY";

House Bill No. 2078 as Act 252, entitled: "RELATING
TO OHANA ZONING";

House Bill No. 2093 as Act 253, entitled: "RELATING
TO MOTOR VEHICLE SAFETY INSPECTIONS";

House Bill No. 2521 as Act 254, entitled: "RELATING
TO PUBLIC UTILITIES";

House Bill No. 2591 as Act 255, entitled: "MAKING
AN APPROPRIATION TO DEVELOP AND
IMPLEMENT ENVIRONMENTAL EDUCATION
PROGRAMS";

House Bill No. 2774 as Act 256, entitled: "RELATING
TO LIBRARIES";

House Bill No. 3012 as Act 257, entitled: "RELATING
TO THE DEPARTMENT OF HEALTH"; and

House Bill No. 3173 as Act 258, entitled: "RELATING
TO THE HONOLULU SYMPHONY".

Gov. Msg. No. 188 informing the House that on June
13, 1988, he signed the following bills into law:

Senate Bill No. 151 as Act 259, entitled: "RELATING
TO DRUG PARAPHERNALIA";

House Bill No. 2080 as Act 260, entitled: "RELATING
TO FORFEITURE";

House Bill No. 6 as Act 261, entitled: "RELATING
TO RIGHTS OF VICTIMS AND WITNESSES IN
CRIMINAL PROCEEDINGS"; and

House Bill No. 2002 as Act 262, entitled: "RELATING
TO PUBLIC RECORDS".

Gov. Msg. No. 189 returning House Bill No. 2364,
without his approval and with his statement of objections
relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 13, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2364

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution
of the State of Hawaii, I am returning herewith, without
my approval, House Bill No. 2364, entitled "A Bill for an
Act Relating to Historic Sites."

The purpose of this bill is to amend Chapter 6E,
Hawaii Revised Statutes, by adding a new section
designating Keolonahihi State Historical Park on the
island of Hawaii as a historic site.

This bill would change the present name of Kamao
Point State Park to Keolonahihi State Historical Park. It
is unnecessary to statutorily change the name of this park
as this can be administratively accomplished. Further,
this bill would set a precedent of designating State
historical parks by statute which undermines the purpose
for designating sites onto the Hawaii Register of Historic
Places. Kamao Point is already listed on both the Hawaii
and National Registers of Historic Places.

For the foregoing reasons, I am returning House Bill
No. 2364 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the
Constitution of the State of Hawaii, the Governor is
required to give notice, by a proclamation, of the
Governor's plan to return with the Governor's objections
any bill presented to the Governor less than ten days
before adjournment sine die or presented to the Governor
after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2364, entitled "A Bill for
an Act Relating to Historic Sites," passed by the
Legislature, was presented to the Governor within the
aforementioned period; and

WHEREAS, House Bill No. 2364 is unacceptable to the
Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of
the State of Hawaii, hereby issue this proclamation,
pursuant to the provisions of Section 16 of Article III of
the Constitution of the State of Hawaii, giving notice of
my plan to return House Bill No. 2364 with my objections
thereon to the Legislature as provided by said Section 16
of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 13th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 190 returning Senate Bill No. 3093,
without his approval and with his statement of objections
relating to the measure, as follows:

"STATE OF HAWAII

EXECUTIVE CHAMBERS

June 13, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3093Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3093, entitled "A Bill for an Act Relating to Remnants of Public Lands."

The purpose of this bill is to place further conditions on the sale of public lands as remnants. The amendments to subsections (b) and (c) of section 171-52, Hawaii Revised Statutes, are ambiguous and raise legal questions of interpretation, such as what constitutes "substantial public concern." In addition, this bill is administratively burdensome to implement, the effect of which increases the cost of selling these remnants. Section 171-52, Hawaii Revised Statutes, is intended to effectuate a policy decision to encourage the disposition of remnants, but the amendments to be made by this bill will frustrate that policy decision.

For the foregoing reasons, I am returning Senate Bill No. 3093 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii""P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3093, entitled "A Bill for an Act Relating to Remnants of Public Lands," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3093 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3093 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 13th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 191 returning Senate Bill No. 3222, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 13, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3222Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3222, entitled "A Bill for an Act Relating to Child Care."

The stated purposes of Senate Bill No. 3222 are to amend sections 346-151 and 346-152, Hawaii Revised Statutes, to increase the number of children who may be cared for in a private home from five to six, and also to clarify the exclusions from child care licensing. This bill is substantially identical to House Bill No. 3484, which also passed. Since I approved House Bill No. 3484 on May 27, 1988, as Act 125, it is unnecessary to also approve this bill.

For the foregoing reasons, I am returning Senate Bill No. 3222 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii""P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3222, entitled "A Bill for an Act Relating to Child Care," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3222 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3222 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 13th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 192 informing the House that on June 14, 1988, he signed the following bills into law:

Senate Bill No. 546 as Act 263, entitled: "RELATING TO COUNTIES";

Senate Bill No. 587 as Act 264, entitled: "RELATING TO BICYCLE AND MOPED LICENSES";

Senate Bill No. 743 as Act 265, entitled: "RELATING TO HISTORIC PRESERVATION";

Senate Bill No. 1170 as Act 266, entitled: "RELATING TO RISK MANAGEMENT AND INSURANCE ADMINISTRATION";

Senate Bill No. 1541 as Act 267, entitled: "RELATING TO HEALTH";

Senate Bill No. 1265 as Act 268, entitled: "RELATING TO AQUATIC RECREATION";

Senate Bill No. 2044 as Act 269, entitled: "RELATING TO CALABASH COUSINS OF HAWAII";

Senate Bill No. 2070 as Act 270, entitled: "RELATING TO ANIMALS";

Senate Bill No. 2112 as Act 271, entitled: "RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS";

Senate Bill No. 2124 as Act 272, entitled: "RELATING TO FIREARMS AND EXPLOSIVES";

Senate Bill No. 2213 as Act 273, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO FINANCE A WIND ENERGY PROJECT IN THE COUNTY OF MAUI";

Senate Bill No. 2332 as Act 274, entitled: "RELATING TO ADOPTION";

Senate Bill No. 2441 as Act 275, entitled: "RELATING TO FIREARMS AND AMMUNITION";

Senate Bill No. 2462 as Act 276, entitled: "RELATING TO PROTECTION OF STREAMS";

Senate Bill No. 2468 as Act 277, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

Senate Bill No. 2501 as Act 278, entitled: "RELATING TO THE REAL ESTATE COMMISSION";

Senate Bill No. 2517 as Act 279, entitled: "RELATING TO THE HAWAII PENAL CODE";

Senate Bill No. 2521 as Act 280, entitled: "RELATING TO EXPENSES FOR EXTRADITION AND RETURN";

Senate Bill No. 2523 as Act 281, entitled: "RELATING TO PARKING VIOLATIONS";

Senate Bill No. 2559 as Act 282, entitled: "RELATING TO SENTENCING AND PAROLE";

Senate Bill No. 2563 as Act 283, entitled: "RELATING TO PROMOTING PORNOGRAPHY FOR MINORS";

Senate Bill No. 2565 as Act 284, entitled: "RELATING TO UNIFORM CONTROLLED SUBSTANCE";

Senate Bill No. 2578 as Act 285, entitled: "RELATING TO PENAL CODE";

Senate Bill No. 2680 as Act 286, entitled: "RELATING TO TAXICABS";

Senate Bill No. 2773 as Act 287, entitled: "RELATING TO HEADS OF DEPARTMENTS";

Senate Bill No. 2852 as Act 288, entitled: "RELATING TO BOATING";

Senate Bill No. 2868 as Act 289, entitled: "RELATING TO SMOKING";

Senate Bill No. 2871 as Act 290, entitled: "RELATING TO HEALTH INFORMATION";

Senate Bill No. 2923 as Act 291, entitled: "RELATING TO UNIFORM CONTROLLED SUBSTANCE";

Senate Bill No. 2924 as Act 292, entitled: "RELATING TO NEGLIGENT INJURY AND NEGLIGENT HOMICIDE";

Senate Bill No. 2931 as Act 293, entitled: "RELATING TO CONDOMINIUM EMPLOYEES";

Senate Bill No. 2979 as Act 294, entitled: "RELATING TO JUVENILES";

Senate Bill No. 3062 as Act 295, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 3088 as Act 296, entitled: "RELATING TO HUMAN SERVICES";

Senate Bill No. 3095 as Act 297, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MANUFACTURING AGRICULTURAL PRODUCTS";

Senate Bill No. 3146 as Act 298, entitled: "RELATING TO PROPERTY";

Senate Bill No. 3151 as Act 299, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO FINANCE A HIGH TECHNOLOGY DEVELOPMENT PROJECT IN THE CITY AND COUNTY OF HONOLULU";

Senate Bill No. 3172 as Act 300, entitled: "RELATING TO CABLE TELEVISION AND TELECOMMUNICATIONS FRAUD";

Senate Bill No. 3182 as Act 301, entitled: "RELATING TO THE DEVELOPMENT AND USE OF GEOTHERMAL ENERGY";

Senate Bill No. 3190 as Act 302, entitled: "RELATING TO HOUSING";

Senate Bill No. 3230 as Act 303, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES";

Senate Bill No. 3248 as Act 304, entitled: "RELATING TO BOTTLED WATER";

Senate Bill No. 3291 as Act 305, entitled: "RELATING TO PSYCHOLOGY";

Senate Bill No. 3378 as Act 306, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 479 as Act 307, entitled: "RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE";

House Bill No. 1600 as Act 308, entitled: "RELATING TO MEDICAL CARE PAYMENTS";

House Bill No. 2054 as Act 309, entitled: "RELATING TO CHILDREN";

House Bill No. 2055 as Act 310, entitled: "RELATING TO EMPLOYMENT ASSISTANCE";

House Bill No. 2068 as Act 311, entitled: "MAKING AN APPROPRIATION FOR A METHANOL-FROM-BIOMASS PROGRAM";

House Bill No. 2220 as Act 312, entitled: "RELATING TO OUT-OF-STATE VEHICLE PERMIT";

House Bill No. 2345 as Act 313, entitled: "RELATING TO ROOMING HOUSES";

House Bill No. 1222 as Act 314, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 2352 as Act 315, entitled: "RELATING TO SALVAGED MOTOR VEHICLES";

House Bill No. 2385 as Act 316, entitled: "RELATING TO TEENAGE HEALTH";

House Bill No. 2440 as Act 317, entitled: "RELATING TO THE COMMISSION ON THE YEAR 2000";

House Bill No. 2483 as Act 318, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2499 as Act 319, entitled: "RELATING TO SALES";

House Bill No. 2519 as Act 320, entitled: "RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS";

House Bill No. 2523 as Act 321, entitled: "RELATING TO TRAVEL AGENCIES";

House Bill No. 2732 as Act 322, entitled: "RELATING TO THE CRIMINAL INJURIES COMPENSATION FUND";

House Bill No. 2851 as Act 323, entitled: "RELATING TO CHILDREN";

House Bill No. 2876 as Act 324, entitled: "MAKING AN APPROPRIATION FOR A HYPERBARIC TREATMENT CHAMBER SYSTEM";

House Bill No. 3068 as Act 325, entitled: "RELATING TO MEDICAL PEER REVIEW";

House Bill No. 3150 as Act 326, entitled: "RELATING TO COUNTY/STATE HOSPITALS";

House Bill No. 3242 as Act 327, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 3277 as Act 328, entitled: "RELATING TO VARIABLE ANNUITIES";

House Bill No. 3287 as Act 329, entitled: "RELATING TO MOTOR VEHICLE REPAIRS";

House Bill No. 3291 as Act 330, entitled: "RELATING TO INSURANCE";

House Bill No. 3299 as Act 331, entitled: "MAKING AN APPROPRIATION FOR A STUDY OF THE DEREGULATION OF CERTAIN TELECOMMUNICATIONS ACTIVITIES TO PROMOTE THE GROWTH OF THE TELECOMMUNICATIONS INDUSTRY IN THE STATE";

House Bill No. 3416 as Act 332, entitled: "RELATING TO FARM LOANS";

House Bill No. 3448 as Act 333, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 3464 as Act 334, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";

House Bill No. 3514 as Act 335, entitled: "RELATING TO LIQUOR TAX";

House Bill No. 3558 as Act 336, entitled: "RELATING TO CLAIMS INVOLVING THE STATE";

Senate Bill No. 3225 as Act 337, entitled: "RELATING TO PROTECTION OF LANDS";

Senate Bill No. 3226 as Act 338, entitled: "RELATING TO THE LAND FIRE PROTECTION LAW";

House Bill No. 3602 as Act 339, entitled: "RELATING TO FRANCHISE INVESTMENT LAW";

House Bill No. 3454 as Act 340, entitled: "RELATING TO HAZARDOUS WASTE";

House Bill No. 3308 as Act 341, entitled: "RELATING TO REAL ESTATE";

House Bill No. 3305 as Act 342, entitled: "RELATING TO DENTAL SERVICE ORGANIZATIONS"; and

House Bill No. 3265 as Act 343, entitled: "RELATING TO BANKS".

Gov. Msg. No. 193 returning Senate Bill No. 3107, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 13, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3107

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3107, entitled "A Bill for an Act Relating to the Farm Loan Program."

The purpose of Senate Bill No. 3107 is to authorize the Department of Agriculture to amend the terms of a \$1,200,000 loan made to the United Cane Planters Cooperative from funds appropriated to the Farm Loan Program by Act 183, Session Laws of Hawaii 1972. Specifically, this bill will amend that Act 183 to authorize the Department of Agriculture to reduce the interest rate charged on the remaining balance of the loan from five percent to one percent.

Although I agree with the underlying purpose of assisting our sugar growers, I do not believe that the method used by this bill to provide assistance is appropriate. Since the existing loan was made with a subsidized interest rate, permanently lowering the interest rate further to one percent on a long-term loan may set an unfortunate precedent. Other methods, such as short-term emergency loans at subsidized interest rates, are available to provide additional assistance.

For the foregoing reasons, I am returning Senate Bill No. 3107 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii'

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3107, entitled "A Bill for an Act Relating to the Farm Loan Programs," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3107 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3107 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 13th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 194 returning Senate Bill No. 2860, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 14, 1988

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2860

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2860, entitled "A Bill for an Act Relating to Environmental Impact Statements."

The stated purpose of Senate Bill No. 2860 is to provide the State Environmental Council (Council) with the authority to issue declaratory rulings. In addition, this bill authorizes the Council to issue advisory opinions.

Section 91-8, Hawaii Revised Statutes, currently authorizes the Council to issue declaratory rulings. Under section 91-8, agencies are empowered to issue declaratory rulings "as to the applicability of any statutory provision or any rule or order of the agency." The Supreme Court of Hawaii has ruled that this language gives an administrative agency power to rule only upon questions "which would be relevant to some action which the Board might take in the exercise of the powers granted by [statute]." *Fasi v. Hawaii Public Employment Relations Board*, 60 Haw. 436, 443, 591, P.2d 113, 117 (1979).

However, in Senate Conference Committee Report No. 229 and House Conference Committee Report No. 74-88 regarding this bill, the Conference Committee stated:

Recently, the Council's authority to issue declaratory rulings has been questioned. As a result the Council has refused to act on petitions for declaratory rulings submitted by interested persons. Your Committee finds that there is a need to include specific language in Chapter 343, Hawaii Revised Statutes (HRS), to affirm the Council's authority, especially since the Office of Environmental Quality Control is solely responsible for the oversight of that chapter.

This bill would clearly allow the Council to issue, on petition or its own motion, a declaratory ruling or an advisory opinion as to the applicability of any statutory provision of chapter 343, HRS, or any rule or order adopted by the Council in matters pursuant to the Chapter.

In authorizing the Council to issue declaratory rulings regarding the applicability of any and all statutory provisions of chapter 343, or any and all relevant rules or orders, this bill appears to be attempting to authorize the Council to issue declaratory rulings regarding matters over which the Council is otherwise powerless to act.

Moreover, this bill appears to authorize the Council to issue declaratory rulings on its own motion. This conflicts with section 91-8, which requires that an agency may issue a declaratory ruling only upon a petition from an interested person. The conflict with section 91-8 could lead to a great deal of uncertainty and confusion in the environmental review processes of chapter 343.

For the foregoing reasons, I am returning Senate Bill No. 2860 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2860, entitled "A Bill for an Act Relating to Environmental Impact Statements," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2860 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2860 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 14th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 195 returning House Bill No. 3009, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 15, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3009

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3009, entitled "A Bill for an Act Relating to Junior Police Organizations."

Amongst its several purposes, House Bill No. 3009 shifts the responsibility for supervision of junior police officer programs from school personnel to each county's police departments, and makes the police departments solely responsible for training and supervising junior police officers at traffic posts. Presently, the Department of Education is responsible for the organization and supervision of the program.

Section 5 of Article VIII of the Hawaii State Constitution specifies that the State must share in the cost of any increase in service level incurred by the counties which results from the mandated transfer of a function from the State to the counties. House Bill No. 3009 appears to violate Article VIII, section 5 of the Hawaii State Constitution because it does not appear to satisfy this requirement -- the sums appropriated to the counties

by this bill are woefully insufficient to meet the State's obligation to share in the counties' increased costs.

The bill also presents serious policy-based concerns. Even if it could be assumed that Article VIII, section 5 does not require that an appropriation be made simultaneously with the function transfer, if the counties do not assume the transferred function because they believe Article VIII, section 5 has not been fully implemented, the safety of school children could be threatened by the void that may result.

Moreover, the costs incurred by the counties may very likely be greater than if the transferred functions remained with the State.

For the foregoing reasons, I am returning House Bill No. 3009 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3009, entitled "A Bill for an Act Relating to Junior Police Organizations," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3009 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3009 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 196 returning House Bill No. 3496, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 15, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3496

Honorable Members
Fourteenth Legislature

State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3496, entitled "A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor."

The purpose of this bill is to appropriate funds to replenish the Criminal Injuries Compensation Fund pursuant to sections 351-62.5 and 351-70, Hawaii Revised Statutes.

This bill is identical to Senate Bill No. 3169, which was also passed by the Legislature and which I intend to approve. Since Senate Bill No. 3169 accomplishes the purpose of this bill, there is no necessity to enact this bill.

For the foregoing reasons, I am returning House Bill No. 3496 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3496, entitled "A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3496 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3496 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 197 informing the House that on June 15, 1988, he signed the following bills into law:

Senate Bill No. 2276 as Act 344, entitled:
"RELATING TO HAWAII-MADE PRODUCTS";

Senate Bill No. 2422 as Act 345, entitled:
"RELATING TO UNINSURED MOTORISTS";

Senate Bill No. 2522 as Act 346, entitled:
"RELATING TO LAND COURT REGISTRATION";

Senate Bill No. 2696 as Act 347, entitled:
"RELATING TO THE STATE BOARD ON
GEOGRAPHIC NAMES";

Senate Bill No. 2758 as Act 348, entitled:
"RELATING TO THE DEPARTMENT OF THE
ATTORNEY GENERAL";

Senate Bill No. 2884 as Act 349, entitled:
"RELATING TO THE TOURISM TRAINING
COUNCIL";

Senate Bill No. 3000 as Act 350, entitled:
"RELATING TO INTOXICATING LIQUOR";

Senate Bill No. 3042 as Act 351, entitled: "MAKING
AN APPROPRIATION FOR A DEMONSTRATION
SHRIMP PROJECT WITH THE SUGAR INDUSTRY";

Senate Bill No. 3166 as Act 352, entitled:
"RELATING TO STATE GOVERNMENT";

Senate Bill No. 3219 as Act 353, entitled:
"RELATING TO ADVERTISEMENT FOR BIDS
REQUIRED; EXCEPTIONS";

Senate Bill No. 3169 as Act 354, entitled:
"RELATING TO THE COMPENSATION OF
CERTAIN PERSONS UNDER THE CRIMINAL
INJURIES COMPENSATION ACT AND PROVIDING
APPROPRIATIONS THEREFOR";

House Bill No. 2027 as Act 355, entitled: "RELATING
TO BUSINESS AND ECONOMIC DEVELOPMENT";

House Bill No. 2096 as Act 356, entitled: "RELATING
TO THE ALOHA TOWER DEVELOPMENT
CORPORATION";

House Bill No. 2357 as Act 357, entitled: "RELATING
TO CHIROPRACTIC";

House Bill No. 2550 as Act 358, entitled: "RELATING
TO HIGHWAYS";

House Bill No. 2553 as Act 359, entitled: "MAKING
AN APPROPRIATION FOR LIABILITY INSURANCE
PREMIUMS";

House Bill No. 2691 as Act 360, entitled: "MAKING
AN APPROPRIATION FOR A CENTER FOR
APPLIED AQUACULTURE";

House Bill No. 2974 as Act 361, entitled: "RELATING
TO PUBLIC LANDS";

House Bill No. 3292 as Act 362, entitled: "RELATING
TO TRUSTEES";

House Bill No. 3304 as Act 363, entitled: "RELATING
TO THE INSURANCE CODE";

House Bill No. 3306 as Act 364, entitled: "RELATING
TO THE UNIFORM SECURITIES ACT";

House Bill No. 3452 as Act 365, entitled: "RELATING
TO THE ESTABLISHMENT OF A STATE
REVOLVING FUND FOR WATER POLLUTION
CONTROL";

House Bill No. 3563 as Act 366, entitled: "RELATING
TO OUT-OF-STATE OFFICES OF THE

DEPARTMENT OF BUSINESS AND ECONOMIC
DEVELOPMENT";

Senate Bill No. 2789 as Act 367, entitled:
"RELATING TO CHIROPRACTIC";

Senate Bill No. 2802 as Act 368, entitled:
"RELATING TO PUBLIC UTILITIES"; and

Senate Bill No. 2888 as Act 369, entitled:
"RELATING TO THE UNDERGRADUATE
INSTRUCTIONAL PROGRAM IN TROPICAL
AGRICULTURE AT THE UNIVERSITY OF HAWAII
AT MANOA AND THE UNIVERSITY OF HAWAII,
HILO CAMPUS".

Gov. Msg. No. 198 returning Senate Bill No. 2448
without his approval and with his statement of objections
relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 15, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2448

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution
of the State of Hawaii, I am returning herewith, without
my approval, Senate Bill No. 2448 entitled "A Bill for an
Act Relating to Vehicles Left Unattended on Private and
Public Property."

The purpose of Senate Bill No. 2448 is to authorize
public and private property owners to order the tow of
illegally parked vehicles on the owner's property, at the
expense of the vehicle owner after either 1) posting a
notice on the property indicating that parking of vehicles
without authorization is prohibited or 2) posting a notice
on the unattended vehicle for at least 48 hours. Both
notices must be conspicuous and include the location
where the towed vehicle will be held.

Notwithstanding the posting of the notice on the
vehicle, a constitutional problem does exist in that the bill
authorizes towing without providing for an opportunity for
a hearing either before or after the tow.

Unquestionably, the loss of the use or the enjoyment of
a vehicle, even if temporary, deprives the owner of
property which may constitutionally be taken from him
only in accordance with due process, which means notice
and the timely opportunity to be heard. This bill does not
require notice to the owner of the likelihood of being
towed away. Practically speaking, it does not give notice
of where the vehicle will be stored after being towed as
the notice will be towed away with the vehicle.

Thus, given the problems the bill creates, I believe it
inadvisable to give the bill my approval.

For the foregoing reasons, I am returning Senate Bill
No. 2448 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the
Constitution of the State of Hawaii, the Governor is
required to give notice, by a proclamation, of the
Governor's plan to return with the Governor's objections
any bill presented to the Governor less than ten days
before adjournment sine die or presented to the Governor
after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2448, entitled "A Bill for
an Act Relating to Vehicles Left Unattended on Private
and Public Property," passed by the Legislature, was
presented to the Governor within the aforementioned
period; and

WHEREAS, Senate Bill No. 2448 is unacceptable to the
Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of
the State of Hawaii, hereby issue this proclamation,
pursuant to the provisions of Section 16 of Article III of
the Constitution of the State of Hawaii, giving notice of
my plan to return Senate Bill No. 2448 with my objections
thereon to the Legislature as provided by said Section 16
of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 199 returning Senate Bill No. 3161,
without his approval and with his statement of objections
relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 15, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3161

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution
of the State of Hawaii, I am returning herewith, without
my approval, Senate Bill No. 3161, entitled "A Bill for an
Act Relating to Management of State Funds."

The purpose of Senate Bill No. 3161 is to allow
agencies of the State, Judiciary, and counties to enter into
long-term energy performance contracts by amending the
State's public contract laws and establishing revolving
funds from and into which moneys for such contracts can
be spent and deposited by public agencies.

This bill will result in a proliferation of revolving funds
with no provision for administrative and legislative
oversight to ensure that the public funds deposited in
them are expended efficiently and effectively. Cost
savings generated by initial investments of funds from the
State's Treasury for these long-term energy performance
contracts should benefit the State as a whole, and not
individual agencies.

I believe we can achieve the same objective -- energy efficient operations -- under existing laws. Agencies are presently free to enter into contracts for energy audits and design services which may then serve as specifications for performance-based, energy-efficient equipment and services procurement.

For the foregoing reasons, I am returning Senate Bill No. 3161 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3161, entitled "A Bill for an Act Relating to Management of State Funds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3161 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3161 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 200 returning House Bill No. 2783, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS"

June 15, 1988

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2783

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2783, entitled "A Bill for an Act Relating to Insurance."

The purpose of this bill is to require providers of sickness and health care insurance, including mutual

benefit societies, to file their rates with the insurance commissioner together with supporting materials showing that the rates are not excessive, inadequate, or unfairly discriminatory.

I have two objections to this bill.

First, while the bill by its terms applies to sickness and health care insurers and to mutual benefit societies, the provisions of the bill do not specifically reference health maintenance organizations. Health care insurers, mutual benefit societies, and health maintenance organizations provide similar benefits and compete in the same markets. It is neither fair nor equitable that the rates and charges of some but not others of these similar enterprises be subject to regulatory review.

Second, I have been informed that the Insurance Division would require \$200,000 of funding to properly perform the additional responsibilities contemplated in the bill. The bill makes no appropriation for this purpose. The significant burdens the bill would impose on the Division's limited staff and resources persuade me that the bill should not become law without also providing for the necessary funding.

For the foregoing reasons, I am returning House Bill No. 2783 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2783, entitled "A Bill for an Act Relating to Insurance," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2783 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2783 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 201 returning House Bill No. 2904, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 15, 1988

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2904**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2904, entitled "A Bill for an Act Relating to the University of Hawaii Malpractice Fund."

The purpose of this bill is to allow the University of Hawaii to use its University of Hawaii at Manoa malpractice special fund as a reserve for a self-insured program for its professional clinical programs.

I am returning this bill without my approval because I believe that it is premature for the University to establish a self-insured program without first demonstrating more precisely a need for such a program, that such a program will be economically beneficial to the State, and that the University is capable of operating such a program. There are too many uncertainties about this bill for me to approve it at this time and I believe that more thought is needed before we embark on such a high risk and perhaps costly endeavor.

For the foregoing reasons, I am returning House Bill No. 2904 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2904, entitled "A Bill for an Act Relating to the University of Hawaii Malpractice Fund," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2904 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2904 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 202 returning Senate Bill No. 3077, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 15, 1988

**STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3077**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3077, entitled "A Bill for an Act Relating to Concessions on Public Property."

The purpose of Senate Bill No. 3077 is to require that concessions for the operations of ground transportation services at state airports be opened up for bids. This bill is apparently in response to the concern that exempting state airport ground transportation service concessions from the statutory bidding requirements denies prospective concessionaires equal opportunity to obtain such concessions.

Although the purpose of this bill, which seeks to foster competition for ground transportation service concessions at state airports, is commendable, we believe the effect of this bill would be to unduly favor the larger providers of such ground transportation services to the detriment of the smaller providers, especially at the neighbor island airports.

As a result, it is my belief that the bill is overbroad in its application since the need for the bidding exemption still appears to exist at the neighbor island airports. Indeed, in the 1960 statutory forerunner of section 102-2(b)(1), Hawaii Revised Statutes, the bidding exemption for ground transportation service concessions applied only to airports other than Honolulu International Airport, i.e., the neighbor island airports.

Furthermore, with regard to the ground transportation service concessions at Honolulu International Airport, the Department of Transportation has already auctioned off several ground transportation service concessions and has plans to place the remaining concessions up for auction, thereby complying with the intent of this bill.

For the foregoing reasons, I am returning Senate Bill No. 3077 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days

before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3077, entitled "A Bill for an Act Relating to Concessions on Public Property," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3077 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3077 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 203 returning Senate Bill No. 3233, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 15, 1988

**STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3233**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3233, entitled "A Bill for an Act Relating to Enterprise Zones."

The purpose of Senate Bill No. 3233 is to amend section 209E-2, Hawaii Revised Statutes, by adding new definitions of the terms "average number of full-time employees," "full-time employees," and "establishment" to that section. The conference committee reports indicate that the new definitions are added to prevent businesses from circumventing the intent of chapter 209E, Hawaii Revised Statutes, by restructuring themselves only for the purpose of qualifying for enterprise zone tax benefits.

Section 2 of the bill also adds a new requirement which businesses already established in an enterprise zone immediately prior to designation of the zone must meet in order to qualify for zone tax benefits. For these businesses, the total hours worked by all full and part-time employees in the qualifying year shall be at least ten percent greater than the total number of hours worked by all full and part-time employees in the base calendar year. This provision creates an ambiguity with regard to businesses having establishments both within and outside the zone. It is unclear whether this new requirement applies to the entire business entity or only to employees at the establishments within the zone.

The bill arguably does not alter other ambiguous and discriminatory provisions already contained in chapter 209E. Those restrictions virtually preclude a large share of private sector investment in enterprise zones which might otherwise be available to stimulate business and industrial growth, increase employment, and result in neighborhood revitalization. For example, the statute, as amended, would continue to restrict, if not deny, investment in an enterprise zone by broadly-based companies in the State who could not meet the requirements of section 209E-9(a)(2) that fifty percent of the entire business' gross receipts be attributable to the active conduct of trade or business within the enterprise zone.

Senate Bill No. 3233 thus creates ambiguities, perpetuates the inequities in the current statute, and will make necessary equitable revisions more difficult.

For the foregoing reasons, I am returning Senate Bill No. 3233 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3233, entitled "A Bill for an Act Relating to Enterprise Zones," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3233 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3233 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 15th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 204 informing the House that on June 16, 1988, he signed the following bills into law:

House Bill No. 3601 as Act 370, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 2785 as Act 371, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 2788 as Act 372, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 3321 as Act 373, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 2067 as Act 374, entitled: "RELATING TO THE PROTECTION OF ENVIRONMENTAL RESOURCES";

House Bill No. 2271 as Act 375, entitled: "RELATING TO THE SHORELINE";

House Bill No. 3102 as Act 376, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 2022 as Act 377, entitled: "RELATING TO A BUSINESS PERMITS SERVICE CENTER";

Senate Bill No. 2750 as Act 378, entitled: "RELATING TO GEOTHERMAL MINING LEASES";

Senate Bill No. 2840 as Act 379, entitled: "RELATING TO OCEAN WATERS AND NAVIGABLE STREAMS";

Senate Bill No. 3018 as Act 380, entitled: "RELATING TO SCHOOL PERSONNEL";

Senate Bill No. 2649 as Act 381, entitled: "RELATING TO MARINE LIFE CONSERVATION AREAS";

House Bill No. 2906 as Act 382, entitled: "RELATING TO CRIMINAL LAW"; and

Senate Bill No. 2038 as Act 383, entitled: "RELATING TO LIQUOR".

Gov. Msg. No. 205 informing the House that on June 16, 1988, he signed the following bills into law:

House Bill No. 2151 as Act 384, entitled: "RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI";

House Bill No. 2348 as Act 385, entitled: "RELATING TO PSYCHOLOGISTS";

House Bill No. 3521 as Act 386, entitled: "RELATING TO ADMINISTRATION OF TAXES";

Senate Bill No. 2195 as Act 387, entitled: "RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI";

Senate Bill No. 2253 as Act 388, entitled: "RELATING TO THE SALE OF GASOLINE";

Senate Bill No. 2318 as Act 389, entitled: "RELATING TO PAYMENT FOR GOODS AND SERVICES";

House Bill No. 2081 as Act 390, entitled: "RELATING TO THE STATE BUDGET";

Senate Bill No. 2209 as Act 391, entitled: "AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM"; and

House Bill No. 501 as Act 392, entitled: "RELATING TO STATE BONDS".

Gov. Msg. No. 206 returning House Bill No. 2050, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 16, 1988

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2050**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2050, entitled "A Bill for an Act Relating to the Library Revolving Fund."

The purpose of this bill is to establish a library revolving fund in which all moneys collected as fines for lost or overdue books shall be deposited and become available to purchase books or other library materials.

Currently, books and other library materials are purchased with general funds appropriated for the public libraries' operations. The revolving fund established by this bill will become another source of funds for making those types of purchases. What could result, however, is expenditure of public funds with less than full coordination and administrative and legislative oversight.

For the foregoing reasons, I am returning House Bill No. 2050 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2050, entitled "A Bill for an Act Relating to the Library Revolving Fund," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2050 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2050 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 207 returning House Bill No. 2197, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 16, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2197

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2197, entitled "A Bill for an Act Relating to Health."

The purpose of House Bill No. 2197 is to relieve the counties of the responsibility to pay for the expenses of removal and quarantine, pursuant to section 325-8, Hawaii Revised Statutes, of persons infected or suspected of being infected with any infectious, communicable, or other disease dangerous to the public health.

Section 325-8, Hawaii Revised Statutes, provides that the removal and quarantine "shall be at the expense of the person's self, the person's parents or guardian, if able to meet the expense, otherwise at the expense of the county in which the person is ill or infected." The applicable county will be responsible for payment of the removal and quarantine expenses only if the infected person or that person's parents or guardian is unable to pay those expenses. There is no indication that the counties have not been fulfilling or are not able to fulfill their contingent responsibilities under section 325-8.

Pursuant to Section 5 of Article VIII of the State Constitution, if any new program or increase in the level of service under an existing program is mandated to any of the counties by the Legislature, the Legislature must provide that the State share in the cost. Because of this requirement, and because there is a multitude of issues concerning the relationship of state and county programs and services, the State is currently working closely with the counties to develop a comprehensive plan to evaluate which functions should be state functions, which should be county functions, and what the total cost to the state would be upon the transfer of various functions to the counties. One objective of this cooperative effort is to avoid piecemeal transfers of functions and, unfortunately, House Bill No. 2197 would be contrary to that objective. This issue should be reviewed in conjunction with other similar issues currently under study.

For the foregoing reasons, I am returning House Bill No. 2197 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2197, entitled "A Bill for an Act Relating to Health," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2197 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2197 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 208 returning House Bill No. 2391, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 16, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2391

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2391, entitled "A Bill for an Act Relating to the University of Hawaii."

The purpose of House Bill No. 2391 is to authorize the University of Hawaii to establish a revolving fund for its libraries in which fines for overdue books, fees, and other revenues derived from library operations would be deposited. These collected revenues may be used to purchase replacement books or materials and for staff salaries to accommodate the additional workload created by overdue books.

Currently, funds to pay staff salaries and to purchase books and materials are included in the University's operating appropriations. This bill establishes another source of funds for these types of expenses. However, the bill makes no provision for administrative and legislative oversight to ensure that expenditures from each available source are coordinated and expended efficiently and effectively.

For the foregoing reasons, I am returning House Bill No. 2391 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2391 entitled "A Bill for an Act Relating to the University of Hawaii," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2391 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2391 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 209 returning House Bill No. 3535, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 16, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3535

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3535, entitled "A Bill for an Act Relating to Aeronautics."

This bill was introduced as an administration measure to enact an implied consent law for pilots. However, the bill was completely changed and its purpose is now to mandate that the Department of Transportation deny overnight parking privileges to any helicopter company that did not have a helicopter parking permit at Port Allen Airport prior to November 30, 1987. The bill also directs the Department of Transportation not to issue or approve any new applications for permits or revocable permits until the completion of the 1988 update/revision of the Port Allen Airport master plan.

Although the purpose of this bill is commendable, the Department of Transportation has already declared a moratorium on the issuance of permits and revocable permits to helicopter companies at the Port Allen Airport.

For the foregoing reasons, I am returning House Bill No. 3535 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3535, entitled "A Bill for an Act Relating to Aeronautics," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3535 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3535 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 210 returning Senate Bill No. 3277, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 16, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3277

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3277, entitled "A Bill for an Act Relating to Historic Preservation."

This bill was originally intended to improve the preservation of historic sites within the State by: (1) requiring that the real property tax maps be amended to identify the State's historic sites; and (2) further requiring

that historic sites, which were removed from the Hawaii Register of Historic Places in 1980 because of procedural errors in owner notifications, be restored to the Hawaii Register of Historic Places.

The bill requires real property tax maps to identify historic sites by amending previous Section 246-9, Hawaii Revised Statutes, which dealt specifically with the preparation and maintenance of tax maps by the State Department of Taxation. Unfortunately, the entire tax map function was transferred exclusively to the counties pursuant to Section 246A-2(3), Hawaii Revised Statutes, as mandated by Section 3 of Article VIII of the Constitution of the State of Hawaii.

If the bill were to be interpreted to require the counties to change the tax maps to identify the historic sites, the bill would be in violation of Section 5 of Article VIII of the State Constitution, because no funds were appropriated to cover the counties' costs.

The legislature addressed the funding problem by including Section 4, which specifically provides for the severance of the tax map portion of the bill if the bill is construed to require that the respective counties, rather than the State, make the appropriate changes to the tax maps. Therefore, those provisions of the bill relating to required changes to the county real property tax maps are mere surplusage and totally ineffective in amending the tax maps.

Additionally, the bill's requirement that the Department of Land and Natural Resources begin the process of restoring previously removed historic sites back to the Hawaii Register of Historic Places, presents innumerable administrative problems for the Hawaii Historic Places Review Board. The Hawaii Historic Places Review Board presently has neither the staffing nor the resources to effectively undertake the required contested case hearings, review, and processing of owners' objections regarding the proposed redesignation of property onto the Hawaii Register of Historic Places.

For the foregoing reasons, I am returning Senate Bill No. 3277 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3277, entitled "A Bill for an Act Relating to Historic Preservation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3277 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of

my plan to return Senate Bill No. 3277 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 16th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 211 returning Senate Bill No. 83, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS"

June 17, 1988

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 83

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 83, entitled "A Bill for an Act Relating to Public Officers and Employees."

The purpose of Senate Bill No. 83 is to create additional opportunity for the advancement of teachers by changing the current teacher Class VII in section 297-31.1, Hawaii Revised Statutes, to Class VIII and establish a new Class VII for teachers, based upon five acceptable years of college education and sixty additional credits approved by the Department of Education and other requirements as may be established.

Presently, in order to advance from Class VI to Class VII, a teacher must obtain a Ph.D. degree. However, due to the expenses involved in obtaining a Ph.D. degree, it is unlikely that many of these Class VI teachers will be able to become Class VII teachers under the present classification plan. Therefore, by creating a new Class VII without the Ph.D. requirement, Class VI teachers will have additional opportunities for advancement.

Although I fully agree that all possible avenues to provide opportunities for advancement for teachers should continue to be explored, I believe that a full study, including the financial impact of this proposal upon the State, should first be conducted to enable the Department of Education to plan for the orderly implementation of the creation of the new class. The Department of Education estimates that about 2,000 Class VI teachers will be eligible for advancement to Class VII, if such a class is established. According to its projections, the new Class VII will require a minimum additional annual appropriation of \$2.4 million and cannot be effectuated before the required funds are appropriated.

In any event, this bill would not have taken effect until August 31, 1989. There is sufficient time to further study this proposal, address its financial impact during the Regular Session of 1989, and provide for orderly implementation by that same effective date. Consequently, this bill appears to be premature.

For the foregoing reasons, I am returning Senate Bill No. 83 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 83, entitled "A Bill for an Act Relating to Public Officers and Employees," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 83 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 83 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 17th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 212 returning House Bill No. 2028, without his approval and with his statement of objections relating to the measure, as follows:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS"**

June 17, 1988

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2028**

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2028 entitled "A Bill for an Act Making an Appropriation for an Environmental Impact Statement for a Space Port in Hawaii."

The stated purpose of House Bill No. 2028 is to appropriate \$125,001 to the Department of Business and Economic Development (D.B.E.D.) in fiscal year 1988-89 for preparation of an environmental impact statement (E.I.S.) and related studies on the possible establishment of a space launch facility in Hawaii. However, of the \$125,001, the bill provides that \$125,000 may be spent to contract with the University of Hawaii to establish air quality monitoring stations in Ka'u, South Kona, North Kona, Kohala and Hilo. It appears that the amount

appropriated for air quality monitoring stations is inadequate for that purpose alone and, if expended, would leave no money for other studies included within the apparent purposes of the act, let alone for the proposed environmental impact statement.

The sum of \$1,539,230 was appropriated by the Legislature in the Supplemental Appropriations Bill, House Bill No. 2081, to D.B.E.D. for development of a rocket launching site and space-related activities including a launch site environmental impact statement, master plan, permits, soil and impact studies; a pacific center for space technology; a feasibility study and conceptual plan for a theme park and education center; and an office of space industry.

House Bill No. 2028, in purporting to appropriate funds for an environmental impact statement creates confusion as to whether one or two E.I.S.'s are required as well as ambiguity as to the scope of the E.I.S. and other related studies. The bill therefore is ambiguous, vague, and confusing. It lacks clear legislative direction and purpose toward achieving the stated goal of assisting the State of Hawaii to compete effectively and expeditiously in the space launch industry.

The Supplemental Appropriations Bill, on the other hand, provides clear, unequivocal directions and adequate preliminary funding toward achieving the State's goals in the worldwide space-launch competition as well as providing for legislative oversight.

Since I intend to approve the amount contained in the Supplemental Appropriations Bill, which will accomplish the essential purposes of House Bill No. 2028, there is no need to approve House Bill No. 2028.

For the foregoing reasons, I am returning House Bill No. 2028 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2028, entitled "A Bill for an Act Relating to Making an Appropriation for an Environmental Impact Statement for a Space Port in Hawaii," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2028 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2028 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol

Honolulu, State of Hawaii
this 17th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 213 returning Senate Bill No. 2032, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 17, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2032

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2032, entitled "A Bill for an Act Relating to Government."

The purpose of this bill is to repeal Part I of Chapter 29, Hawaii Revised Statutes, which establishes the office, powers and duties of a federal programs coordinator.

Although the position of federal programs coordinator is unfilled and the State's interests are being well represented in Washington, D.C., by its consultant, Counselors for Management, at the present time, I believe it will become increasingly important that an individual intimately familiar with Hawaii and the State's plans and programs be available. I can only foresee an increase in federal and state interaction. In my view, therefore, this is not the time to abolish the office of the State's federal programs coordinator.

For the foregoing reasons, I am returning Senate Bill No. 2032 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2032, entitled "A Bill for an Act Relating to Government," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2032 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of

the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2032 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 17th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 214 returning Senate Bill No. 2267, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 17, 1988

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2267

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2267, entitled "A Bill for an Act Relating to Collective Bargaining."

The purpose of Senate Bill No. 2267 is to amend section 86-6(c), Hawaii Revised Statutes, to allow certain secretaries to top-level managerial and administrative personnel to be included in any collective bargaining unit.

Currently, any secretary whose job duties involve or are concerned with confidential matters affecting employee-employer relations is excluded from collective bargaining under section 86-6(c) as an "individual concerned with confidential matters affecting employee-employer relations." However, this bill will amend the exclusion of secretaries to top-level managerial and administrative personnel to limit the exclusion to those secretaries "whose job duties involve or are concerned with confidential matters affecting employee-employer relations." To avoid an interpretation that the amendment is totally superfluous and meaningless, the exclusion of an "individual concerned with confidential matters affecting employee-employer relations" will have to be read to apply to individuals other than secretaries.

Unfortunately, if the latter exclusion is read to apply only to individuals other than secretaries, the bill will in effect exclude from collective bargaining only those secretaries concerned with confidential matters affecting employee-employer relations who are secretaries to top-level managerial and administrative personnel. I believe that any secretary concerned with confidential matters affecting employee-employer relations should be excluded from collective bargaining to avoid the conflict of interest, whether or not the secretary is a secretary to top-level managerial or administrative personnel.

For the foregoing reasons, I am returning Senate Bill No. 2267 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2267, entitled "A Bill for an Act Relating to Collective Bargaining," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2267 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2267 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 17th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 215 returning House Bill No. 3613, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 17, 1988

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3613

Honorable Members
Fourteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3613, entitled "A Bill for an Act Relating to Corporations."

The purpose of this bill is to permit corporations to restrict removal of corporate directors for good cause only, in an attempt to restrict corporate takeovers.

Although this bill serves a legitimate purpose in creating an obstacle to corporate takeover efforts, this bill places an unreasonable restriction on the corporate democratic process of the majority vote. Unless the articles of incorporation provide otherwise, a simple majority of shareholders should be sufficient to remove corporate directors without the added burden of showing cause. The Legislature has provided other measures which appear to sufficiently check unwarranted takeover attempts.

For the foregoing reasons, I am returning House Bill No. 3613 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3613 entitled "A Bill for an Act Relating to Corporations," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3613 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3613 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol
Honolulu, State of Hawaii
this 17th day of June, 1988.

/s/ John Waihee

JOHN WAIHEE
Governor of Hawaii"

Gov. Msg. No. 216 informing the House that on June 17, 1988, he signed the following bills into law:

House Bill No. 2961 as Act 393, entitled: "RELATING TO CORPORATIONS";

Senate Bill No. 2184 as Act 394, entitled: "RELATING TO COLLECTIVE BARGAINING";

House Bill No. 37 as Act 395, entitled: "RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN AND HAWAIIAN INDIVIDUALS AND ORGANIZATIONS";

Senate Bill No. 2171 as Act 396, entitled: "RELATING TO THE SALARY OF DISTRICT COURT JUDGES";

Senate Bill No. 2681 as Act 397, entitled: "RELATING TO AERONAUTICS";

Senate Bill No. 2584 as Act 398, entitled: "RELATING TO BISHOP MUSEUM";

Senate Bill No. 3164 as Act 399, entitled: "RELATING TO COLLECTIVE BARGAINING";

House Bill No. 3404 as Act 400, entitled: "RELATING TO COMPENSATION FOR STATE SERVICE";

House Bill No. 3414 as Act 401, entitled: "RELATING TO THE CIVIL SERVICE SECRETARIAL COMPENSATION PLANS";

Senate Bill No. 3001 as Act 402, entitled: "RELATING TO LIQUOR";

Senate Bill No. 112 as Act 403, entitled: "RELATING TO CAMPAIGN CONTRIBUTIONS"; and

House Bill No. 2006 as Act 404, entitled: "RELATING TO THE ESTABLISHMENT OF A STATEWIDE FAIR ACCESS COMMISSION AND MAKING AN APPROPRIATION THEREFOR".

Gov. Msg. No. 217 transmitting copies of a report prepared by the Hawaii Criminal Justice Data Center entitled, "Crime in Hawaii 1987, a Review of Uniform Crime Reports."

Gov. Msg. No. 218 transmitting copies of the Governor's Committee on AIDS Interim Report, prepared by the Governor's Committee on AIDS-Department of Health.

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 18 from Albert J. Simone, President, University of Hawaii, acknowledging receipt of the following resolutions:

H.R. 31 - REQUESTING A TRAINING PROGRAM FOR CERTAIN GOVERNMENTAL EMPLOYEES;

H.R. 37 - REQUESTING AND ENCOURAGING GREATER COOPERATION BETWEEN THE UNIVERSITY OF HAWAII FACULTY AND THE BUSINESS COMMUNITY; and

H.R. 193 - REQUESTING THE OFFICE OF STATE PLANNING TO EXAMINE THE USE OF GLOBAL MODELING AS AN AID IN VISITOR INDUSTRY PLANNING AND POLICY-MAKING.

Dept. Com. No. 19 from Tatsuki Shiramizu, Secretary, Board of Regents, University of Hawaii, acknowledging receipt of House Concurrent Resolution No. 213.

Dept. Com. No. 20 from Tatsuki Shiramizu, Secretary, Board of Regents, University of Hawaii, acknowledging receipt of House Resolution Nos. 29; 160; 147 and 435; and House Concurrent Resolution Nos. 77; 110 and 326.

Dept. Com. No. 21 from Albert J. Simone, President, University of Hawaii, acknowledging receipt of the following:

H.R. 29 - REQUESTING THAT A FIVE-YEAR EMPLOYMENT ASSESSMENT PLAN FOR THE STATE BE MADE;

H.R. 133 - REQUESTING A STUDY OF THE JOB OPPORTUNITIES CREATED BY THE PROPOSED SPACEPORT;

H.R. 147 - URGING UNIVERSITY OF HAWAII BOARD OF REGENTS' SUPPORT FOR THE UNIVERSITY OF HAWAII CENTER FOR HAWAIIAN STUDIES AT KANEHAWAI;

H.R. 359 - REQUESTING A STUDY TO DETERMINE THE RAMIFICATIONS OF ALLOWING STATE AND COUNTY EMPLOYEES TO RETIRE WITH NORMAL BENEFITS AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE REGARDLESS OF AGE;

H.R. 371 - REQUESTING AN EVALUATION OF LANGUAGE ARTS PROGRAMS FOR HAWAIIAN CREOLE (PIDGIN ENGLISH)-SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY;

H.R. 435 - REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE PROGRESS OF ACTIVITIES OF ITS CENTER FOR TEACHING EXCELLENCE AND THE LARGER ACTIVITIES OF THE UNIVERSITY OF HAWAII'S PROGRAM FOR FACULTY DEVELOPMENT AND IMPROVEMENT IN TEACHING;

H.C.R. 36 - REQUESTING THAT THE UNIVERSITY OF HAWAII STUDY THE FEASIBILITY OF ESTABLISHING A SPACE EDUCATION CENTER;

H.C.R. 77 - URGING THE EXPANSION OF THE ARCHAEOLOGY PROGRAM AT THE UNIVERSITY OF HAWAII-MANOA;

H.C.R. 110 - REQUESTING THE BOARD OF REGENTS TO ARTICULATE A POLICY FOR THE ACQUISITION OF PROPERTY;

H.C.R. 213 - REQUESTING THAT STATE LAND BE RESERVED FOR THE FUTURE USE OF THE UNIVERSITY OF HAWAII AT HILO FOR RESEARCH AND RELATED PURPOSES; and

H.C.R. 326 - REQUESTING THE DEVELOPMENT OF A PLAN FOR THE COMMERCIAL DEVELOPMENT OF THE AREA ADJACENT TO THE UNIVERSITY OF HAWAII AT HILO.

Dept. Com. No. 22 from Albert J. Simone, President, University of Hawaii, acknowledging receipt of the following:

H.C.R. 125 - REQUESTING RESEARCH OF TUNA IN HAWAIIAN WATERS;

H.C.R. 205 - REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ADAPTIVE COMPUTER TECHNOLOGY EDUCATION CENTER;

H.C.R. 208 - REQUESTING A STUDY OF THE FEASIBILITY OF EXPANDING THE HAWAII OCEAN CENTER CONCEPT BY INCLUDING MAJOR OCEAN EXHIBITS AND DISPLAYS IN THE ACTUAL MARINE ENVIRONMENT;

H.R. 250 - REQUESTING A CHANGE IN THE ADMINISTRATIVE PROCEDURES FOR DISSEMINATING PUBLIC INFORMATION;

H.R. 322 - REQUESTING THE DEVELOPMENT OF A VOCATIONAL TRAINING PROGRAM FOR YOUTHS COMMITTED FOR SHORT TERM AND LONG TERM INSTITUTIONALIZATION;

H.R. 330 - SUPPORTING THE CONTINUED OPERATION AND DEVELOPMENT OF HAWAIIAN IMMERSION/MEDIUM PROGRAMS BY THE DEPARTMENT OF EDUCATION;

H.R. 428 - REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A SPACE CAMP IN KA'U.

Dept. Com. No. 23 from Tatsuki Shiramizu, Secretary, Board of Regents, University of Hawaii, acknowledging receipt of House Concurrent Resolution Nos. 251 and 205.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 5 from Stephen K. Yamashiro, Council Chairman, County of Hawaii, acknowledging receipt of House Resolution No. 83, requesting the assessment of rural water catchment problems on the neighbor islands.

Misc. Com. No. 6 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution No. 123.

Misc. Com. No. 7 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution No. 61.

Misc. Com. No. 8 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a resolution pertaining to the homeporting of the USS Missouri.

Misc. Com. No. 9 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 271.

Misc. Com. No. 10 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Concurrent Resolution No. 167.

Misc. Com. No. 11 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a resolution pertaining to the use of Kahoolawe by the military.

Misc. Com. No. 12 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution No. 320.

Misc. Com. No. 13 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, acknowledging receipt of a House resolution.

Misc. Com. No. 14 from Wendell H. Ford, Chairman, Aviation Subcommittee, United States Senate, acknowledging receipt of House Resolution No. 78.

Misc. Com. No. 15 from Stephen K. Yamashiro, Council Chairman, County of Hawaii, acknowledging receipt of four House resolutions pertinent to issues important to the County of Hawaii.

Misc. Com. No. 16 from George W. Harvey, Director's Representative and Pacific Area Coordinator, U.S. Department of Transportation, Federal Aviation Administration, acknowledging receipt of House Concurrent Resolution No. 61, requesting the Congress of the United States of America to enact legislation requiring the Federal Aviation Administration to regulate helicopter flight patterns and to clarify existing Federal laws relating to noise created by helicopters over residential areas.

Misc. Com. No. 17 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a House resolution concerning funding for a permanent site for the Aiea Post Office.

Misc. Com. No. 18 from Peter W. Rodino, Jr., Chairman, Committee on Judiciary, U.S. House of Representatives, acknowledging receipt of House Concurrent Resolution No. 174, relative to Americans and resident aliens of Japanese ancestry and Alaskan Aleuts.

Misc. Com. No. 19 from Stephen K. Yamashiro, Council Chairman, County of Hawaii, acknowledging receipt of House Resolution No. 251 and accompanying Standing Committee Report No. 1548-88, regarding the feasibility of developing an agricultural park in Waipio Valley.

Misc. Com. No. 20 from William C. Bailey, Deputy Administrator, Program Planning and Development, United States Department of Agriculture, acknowledging receipt of a House concurrent resolution concerning the U.S. price support program for sugar.

Misc. Com. No. 21 from Nick Longworth, Coordinator of Intergovernmental Affairs, Bureau of Public Affairs, United States Department of State, acknowledging receipt of House Resolution No. 5, urging the Immigration and Naturalization Service (INS) to establish a pre-inspection station in Japan to ease congestion at INS stations at United States airports.

Misc. Com. No. 22 from Nick Longworth, Coordinator of Intergovernmental Affairs, Bureau of Public Affairs, United States Department of State, acknowledging receipt of House Resolution No. 238, urging Japan to abolish its discriminatory practice of fingerprinting lifelong residents of Japan who are ethnic minorities.

Misc. Com. No. 23 from G.V. (Sonny) Montgomery, Chairman, Committee on Veterans' Affairs, acknowledging receipt of House resolutions concerning the establishment of a veterans hospital in Hawaii.

Misc. Com. No. 24 from Patrick H. De Leon, Administrative Assistant to Senator Inouye, acknowledging receipt of House Resolution No. 305, urging the establishment of a comprehensive national health insurance program.

Misc. Com. No. 25 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, acknowledging receipt of a House resolution.

Misc. Com. No. 26 from William E. Evans, United States Department of Commerce, acknowledging receipt and responding to House Resolution No. 125, requesting research, marketing, and educational programs on tuna in Hawaiian waters.

Misc. Com. No. 27 from K. Kae Rairdin, Special Assistant to the President for Intergovernmental Affairs, acknowledging receipt of House Resolution No. 7, regarding the selection of homeporting the USS Missouri and nine associated ships in San Francisco instead of Honolulu, Hawaii.