

NINETEENTH DAY

Tuesday, February 14, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend O.W. Efurd, Director of Missions, Oahu Baptist Association, after which the Roll was called showing all members present with the exception of Representatives Hagino, D. Ige, Ihara and Tajiri, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Eighteenth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Eighteenth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 110 to 112) were read by the Clerk and were placed on file.

Gov. Msg. No. 110, transmitting copies of a report on HCR 326, SD 1 (1988), requesting the University of Hawaii, in conjunction with the Department of Business and Economic Development, the Department of Land and Natural Resources, and the County Council and Mayor of the County of Hawaii, to develop a plan for the commercial development of the area adjacent to the University of Hawaii at Hilo, prepared by the University of Hawaii.

Gov. Msg. No. 111, transmitting copies of the report on H.C.R. 142 and H.R. 190, relating to administration of anesthesia outside of hospitals prepared by the Departments of Health and Commerce and Consumer Affairs.

Gov. Msg. No. 112, transmitting copies of a study requesting consideration of requiring cable operators to provide aid to non-profit groups prepared by the Cable Television Division, pursuant to House Concurrent Resolution No. 301, HD 1, and House Resolution No. 382, HD 1.

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

Representative Tam introduced a group of fifth grade students from Maemae Elementary School. They were accompanied by their teachers, Julie Takakura and Karen Hamada.

Representative Tom, on behalf of the Maui legislators, introduced Peter and Charlene Rodrigues who are the parents of Kahala Ann Rodrigues and Kamuela Rodrigues. "The reason why this family is so very special is because Kahala Ann Rodrigues is a 9-year old visually handicapped and a very energetic young lady. She attends Lihekai Elementary School. And, you know, she likes the kinds of things I like. She likes swimming, she likes to play the piano, she likes to read, she likes to sing -- she may become a representative some day. I've talked to Kahala outside and am very impressed with her. Charlene who is the mom of this child is the sister of one of our very close people here -- the Sergeant-at-Arms, Richard Caldito. The reason Kahala is here is because

she wanted to thank Mamoru Yamasaki from the Senate, and I know that extends to our industrious Finance Chairman, Representative Souki, for the books and equipment bill that is being considered for the visually handicapped and she is very, very proud and very grateful."

Representative Tom then asked Kahala Ann; her parents, Peter and Charlene Rodrigues; Kamuela; and their friend Trisha Gouveia, to stand to be recognized.

Representative Kawakami introduced former Judge Norito Kawakami, "a relative of mine."

Representative Cavasso introduced Ellis Wyatt, "a gentleman, a friend, who I met through the Martin Luther King Day celebration, and a gentleman who is a full-time Department of Defense civilian, and also a full-time student at Oahu College, majoring in psychology and public administration, a gentleman who expects to attend law school and go into the field as an attorney and most likely a judge at some future time."

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 65 to 67) and concurrent resolutions (H.C.R. Nos. 50 and 51) were referred to the Committee on Legislative Management and further action was deferred:

H.R. No. 65, entitled: "HOUSE RESOLUTION REQUESTING A REPORT OF THE RECENT FRANCHISE AGREEMENT BETWEEN OCEANIC CABLE AND THE STATE AND REQUESTING THE STATE TO REQUEST A WAIVER FROM THE FEDERAL COMMUNICATIONS COMMISSION TO ALLOW HAWAII TO REGULATE CABLE RATES," was offered by Representative Cavasso.

H.R. No. 66, entitled: "HOUSE RESOLUTION URGING ALL STATE AND COUNTY AGENCIES TO ADOPT POLICIES WHICH PROMOTE THE USE AND PURCHASE OF GOODS AND SUPPLIES MADE FROM RECYCLED MATERIALS," was jointly offered by Representatives Isbell, Amaral, Arakaki, Duldulao, Fukunaga, Hashimoto, Hirayama, Horita, D. Ige, Kotani, Lee, Leong, Say, Shon and Tajiri.

H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF A STATEWIDE TRASH SEPARATION PROGRAM," was jointly offered by Representatives Isbell, Amaral, Arakaki, Duldulao, Fukunaga, Hashimoto, Hirayama, Horita, D. Ige, Kotani, Lee, Leong, Say, Shon and Tajiri.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL STATE AND COUNTY AGENCIES TO ADOPT POLICIES WHICH PROMOTE THE USE AND PURCHASE OF GOODS AND SUPPLIES MADE FROM RECYCLED MATERIALS," was jointly offered by Representatives Isbell, Amaral, Arakaki, Duldulao, Fukunaga, Hashimoto, Hirayama, Horita, D. Ige, Kotani, Lee, Leong, Say, Shon and Tajiri.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF A STATEWIDE TRASH SEPARATION PROGRAM," was jointly offered by

Representatives Isbell, Amaral, Arakaki, Duldulao, Fukunaga, Hashimoto, Hirayama, Horita, D. Ige, Kotani, Lee, Leong, Say, Shon and Tajiri.

ANNOUNCEMENTS

Representative Metcalf: "Your Committee on Judiciary will be meeting this afternoon rather than this evening as is usually the occasion on Mondays, at 1:30 in Room 328. Decision-making to follow time permitting."

Representative Horita: "Your Committee on Labor and Public Employment is having a hearing tomorrow, 8:30, Conference Room 328, on a number of House bills. Decision-making to follow."

Representative Shon: "Your Committees on Health and Human Services will be meeting this evening at 6:00 p.m. in Room 310 in joint hearings followed by a hearing on the Committee on Human Services followed by just the hearing on the Committee on Health at around 9:00."

Representative Isbell: "Your Committee on Water and Land Use Development will be having two hearings tomorrow. One starts at 8:30 a.m. in Room 314 and one starts at 6:30 p.m. in Room 416."

Representative Okamura: "I would like to request all of the Committee Chairmen to report to the Majority Caucus Room immediately following the adjournment of session today for a very important and hopefully brief meeting."

Representative Fukunaga: "Your Committee on Finance will be holding a hearing this afternoon in the Finance Committee Room. Decision-making to follow if time permits."

Representative Say: "Your Committee on Agriculture will be having a public hearing this evening at 6:30 in Room 416. Decision-making to follow."

Representative Taniguchi: "Your Committee on Higher Education and the Arts will be holding a public hearing today at 2:00 jointly with the Committees on Judiciary and Economic Development. Decision-making to follow if time permits."

Representative Leong: "Your Committee on Health will have a joint hearing tomorrow morning with Transportation at 8:00 a.m. in Room 310. Following that, the Health Committee will hold their hearings."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having an informational briefing this afternoon, 4:00 o'clock, in Conference Room 328. The briefing will be on an audit report on telecommunications in Hawaii."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, February 14, 1989.

TWENTIETH DAY

Tuesday, February 14, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lt. Erik Scholin of the Salvation Army, after which the Roll was called showing all members present with the exception of Representatives Amaral, Andrews, Lee and Peters, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Nineteenth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Nineteenth Day was approved.

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock a.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 64 to 67) and concurrent resolutions (H.C.R. Nos. 49 to 51) were disposed of as follows:

H.R. Nos. Referred to:

65 Jointly to the Committees on Consumer Protection and Commerce and Intergovernmental Relations and International Affairs

66 Jointly to the Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs

67 Committee on Planning, Energy and Environmental Protection

H.C.R. Nos.

49 Committee on Judiciary

50 Jointly to the Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs

51 Committee on Planning, Energy and Environmental Protection

COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

H.B. Nos. Re-referred to:

73 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

126 Committee on Finance

325 Committee on Finance

354 Committee on Judiciary

502 Committee on Planning, Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce

521 Committee on Finance

580 Committee on Judiciary

673 Jointly to the Committees on Planning, Energy and Environmental Protection and Consumer Protection and Commerce

755 Committee on Judiciary

760 Committee on Finance

762 Committee on Finance

764 Committee on Finance

774 Committee on Finance

804 Committee on Finance

837 Committee on Judiciary

838 Committee on Finance

931 Committee on Finance

933 Committee on Finance

1029 Committee on Finance

1034 Committee on Finance

1109 Committee on Finance

1154 Committee on Finance

1178 Committee on Finance

1179 Committee on Finance

1184 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

1250 Committee on Finance

1345 Committee on Consumer Protection and Commerce

1381 Committee on Finance

1413 Committee on Water and Land Use, then to the Committee on Judiciary

1485 Committee on Finance

1519 Committee on Finance

1618 Committee on Finance

1620 Committee on Finance

1654 Committee on Health, then to the Committee on Finance

1669 Committee on Finance

1686	Committee on Finance
1767	Committee on Finance
1794	Committee on Education, then to the Committee on Finance
1798	Committee on Higher Education and the Arts, then to the Committee on Finance
1822	Committee on Education, then to the Committee on Finance
1845	Committee on Finance
1862	Committee on Housing, then to the Committee on Finance
1876	Committee on Housing, then to the Committee on Finance
1886	Committee on Judiciary
1900	Committee on Labor and Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

The following resolution (H.R. No. 64) and concurrent resolution (H.C.R. No. 49) were re-referred as follows:

<u>H.R. No.</u>	<u>Re-referred to:</u>
64	Committee on Judiciary
<u>H.C.R. No.</u>	
49	Committee on Judiciary

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering Standing Committee Reports out of order.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 1900 pass Second Reading and be referred to the Committee on Finance.

By unanimous consent, action was deferred one day.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 61, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 61, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY CRISIS INTERVENTION FOR ELDERLY PERSONS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 66, as amended in HD 1,

pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 66, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE LONG-TERM CARE OMBUDSMAN PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 15) recommending that H.B. No. 53 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 16) recommending that H.B. No. 50, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 50, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH DEFECTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 17) recommending that H.B. No. 51, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 51, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII HEALTH REGISTRY," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 18) recommending that H.B. No. 54, as amended in HD 1, pass Second Reading and be referred to the Committee on Planning, Energy and Environmental Protection.

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 54, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Planning, Energy and Environmental Protection.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 19) recommending that H.B. No. 52, as amended in HD 1, pass Second Reading and be referred to the Committee on Planning, Energy and Environmental Protection.

On motion by Representative Shon, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 52, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Planning, Energy and Environmental Protection.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF DENDROBIUM ORCHIDS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 3 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 3, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 4 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 4, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF HAWAII-GROWN COFFEE," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 5 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 5, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ACQUIRING AND TRAINING DOGS FOR USE IN PLANT QUARANTINE INSPECTION," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 6 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 6, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR THE PROMOTION OF PINEAPPLE," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 7 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 7, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH ON ANTHURIUM BLIGHT," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 27) recommending that H.R. No. 6 be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 6, entitled: "HOUSE RESOLUTION SUPPORTING HAWAII'S CONGRSSIONAL DELEGATION IN ITS EFFORTS TO MAINTAIN SUPPORT FOR THE U.S. SUGAR INDUSTRY," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 28) recommending that H.C.R. No. 2 be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING HAWAII'S CONGRESSIONAL DELEGATION IN ITS EFFORTS TO MAINTAIN SUPPORT FOR THE U.S. SUGAR INDUSTRY," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 29) recommending that H.R. No. 7, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 7, HD 1, entitled: "HOUSE RESOLUTION COMMENDING AND SUPPORTING THE WORK OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ERADICATE FRUIT FLIES IN HAWAII," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 30) recommending that H.C.R. No. 3, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 3, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING AND SUPPORTING THE WORK OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ERADICATE FRUIT FLIES IN HAWAII," was adopted.

At 11:54 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

H.R. No. 69, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING MR. YOSHIHIKO MIYAUCHI AND MR. MORIYOSHI 'DUKE' SAITO," was offered by Representative Isbell and was read by the Clerk.

On motion by Representative Isbell, seconded by Representative Hirono and carried, H.R. No. 69 was adopted.

Representative Isbell then rose and stated:

"Mr. Speaker, I am pleased to introduce today the President of Mainichi Broadcasting System (MBS) of Osaka, and he also visited with us last year.

"The MBS, as a co-sponsor of Orix Hawaiian Ladies Open Golf Tournament, is going to be held at Turtle Bay Country Club beginning Thursday, is to be congratulated for doing so.

"Mr. Saito is known to his American friends as 'Duke' and under his leadership, MBS has brought this Hawaiian Ladies Open (Orix) to Turtle Bay for the past three years and we hope he continues to bring it here because along with them come many of their families, friends and a lot of followers of the golf tournament.

"The MBS will be beaming this golf tournament directly to Japan and I know it is wintertime over there and they are going to be very acceptable to perhaps seeing Hawaii with all of its sunshine, palm trees, beautiful grass, golfing, and want to join us here.

"It is my pleasure now to introduce to you Mr. Moriyoshi 'Duke' Saito, President of Mainichi Broadcasting System," and asked the honoree to stand to be recognized.

Representative Hirono then rose and stated:

"Before I introduce Mr. Yoshihiko Miyauchi, I would like to say a few words about him and his company.

"Mr. Miyauchi is the President of the Oriental Leasing Company who is the co-sponsor of the Orix Hawaiian Ladies Open, and Mr. Yoshihiko Miyauchi is a young executive who led his company into new territory when his company sponsored this sports event for the first time last year. In addition to repeating as a sponsor this year, he came up with the idea of changing the name of his company from Orient Leasing Company to the Orix Group and Orix means creativity, imagination, likes stability and aggressiveness.

"Mr. Miyauchi and the Orix Company have purchased the Hanku Braves, a well known Japanese professional baseball team. This team is now known as the Orix Braves, homebased in Osaka. Perhaps we can encourage Mr. Miyauchi to consider bringing the Orix Braves to Hawaii to conduct their Spring training. As many of us are boosters of the UH Rainbows baseball team, perhaps we can encourage him to have his coaches scout our UH players as potential members of Orix Braves.

"Mr. Speaker, it is my pleasure, at this time, to introduce to you and this honorable body Mr. Yoshihiko Miyauchi," and asked the honoree to stand to be recognized.

Accompanying the honorees on the floor were Mr. Hiroshi Furukawa, General Affairs Manager of the Orix Group, and Mr. Jerry Jiro Maeda, Chief of the International Division of the MBS and the interpreter for the group.

Certified copies of the resolution were presented to Mr. Saito and Mr. Miyauchi by Representatives Isbell and Hirono, respectively. Floral leis were presented to the honorees by Representatives Horita, Baker, Duldulao and Kawakami.

At 12:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

By unanimous consent, the following resolutions (H.R. Nos. 68 and 70) and concurrent resolution (H.C.R. No. 52) were referred to the Committee on Legislative Management and further action was deferred:

H.R. No. 68, entitled: "HOUSE RESOLUTION URGING CONGRESS TO AMEND THE CABLE COMMUNICATIONS POLICY ACT OF 1984 TO ALLOW REGULATION OF CABLE TELEVISION RATES AND TO ALLOW REGULATION OF CABLE TELEVISION AS A UTILITY," was jointly offered by Representatives Hirono, Anderson, Hagino, Hayes, Hiraki, Metcalf, Okamura, Oshiro, Shon and Yoshimura.

H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR'S EXECUTIVE SALARY COMMISSION RECOMMEND THAT THE GOVERNOR'S SALARY NOT BE INCREASED AND THAT THE SALARIES OF SOME DEPARTMENT HEADS AND EXECUTIVE OFFICERS BE PERMITTED TO BE HIGHER THAN OTHERS," was jointly offered by Representatives Liu and Hemmings.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO AMEND THE CABLE COMMUNICATIONS POLICY ACT OF 1984 TO ALLOW REGULATION OF CABLE TELEVISION RATES AND TO ALLOW REGULATION OF CABLE TELEVISION AS A UTILITY," was jointly offered by Representatives Hirono, Anderson, Hagino, Hayes, Hiraki, Metcalf, Okamura, Oshiro, Shon and Yoshimura.

ANNOUNCEMENTS

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having a public hearing this evening at 6:30 in Conference Room 328. Decision-making to follow if time permits."

Representative Horita: "Your Committee on Labor is having a public hearing tomorrow evening, Wednesday, 7:00 p.m., in Conference Room 310. Decision-making to follow."

Representative Leong: "Your Committee on Health will hold a public hearing this evening at 6:00 p.m. in Conference Room 314. Decision-making to follow if time permits."

Representative Tam: "Your Committee on Education will have a public hearing this afternoon at 1:30 p.m. on school base management, and at 7:00 p.m., we will have a hearing on capital improvements. Decision-making to follow if time permits."

Representative Hagino: "There will be a hearing of the Judiciary Committee this afternoon at 1:30, Room 328. Decision-making to follow if time permits. This evening at 6:30, there will be a hearing of the Water and Land Use Development Committee. Decision-making to follow if time permits."

Representative Bybee: "Your Committee on Transportation will hold a hearing tomorrow morning at 8:30 a.m. in Room 328. Decision-making to follow."

Representative Honda: "Your Committee on Agriculture will have a joint hearing with the Senate Agriculture Committee in Room 416 beginning at 8:30 and following the joint hearing, agricultural bills alone will be heard in the same room. Decision-making to follow."

Representative Ihara then rose and requested waiver of the 48-hour notice to hear House Bills 1626 and 1374, and the Chair "so ordered."

At 12:12 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 12:14 o'clock p.m.

The Chair then asked Representative Ihara to read the titles of the bills and Representative Ihara responded:

"Yes, Mr. Speaker, and I would like to make a correction of the bill numbers. It's requesting waiver of the 48-hour notice rule for House Bill 317, relating to corrections, and House Bill 911, making an appropriation for the treatment of incarcerated sex offenders."

The Chair thanked Representative Ihara.

Representative Ihara: "Your Committee on Human Services will be conducting a hearing tomorrow, Wednesday, February 15, at 8:30 a.m. in Conference Room 310 to hear House Bill No. 317 and House Bill 911 and a number of other bills."

Representative Fukunaga: "Your Committee on Finance will be holding a public hearing this afternoon in the Finance Conference Room. Decision-making to follow if time permits."

At 12:15 o'clock p.m., Representative Cachola asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:16 o'clock p.m., Representative Apo wished the members of the House and audience a "Happy Valentine's Day."

ADJOURNMENT

At 12:17 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, Wednesday, February 15, 1989.

TWENTY-FIRST DAY

Wednesday, February 15, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Sister Kathleen Marie Shields, Director of Religion Education, The Roman Catholic Diocese, after which the Roll was called showing all members present with the exception of Representatives Amaral, Arakaki, Chang, Duldulao, Hemmings, Ihara and Tam, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twentieth Day.

On motion by Representative Apo, seconded by Representative Liu and carried, reading of the Journal was dispensed with and the Journal of the Twentieth Day was approved.

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

Representative Baker introduced Mr. Charlie Nalapa, Executive Director of the West Maui Taxpayers' Association, and "a good representative from the west side of Maui."

Representative Alcon introduced the Honorable Samuel B. Nunez, Jr., Senate President Pro Tempore of the Louisiana State Legislature, and also President of the National Conference of State Legislatures. He was accompanied by Mr. Carl Kurtz, State Director of Services in charge of the Denver, Colorado office.

Representative Apo introduced a group of fourth and sixth grade students from Makaha Elementary School. They were accompanied by their teachers, Lindsey Higa, Lynne Falwell and Gail Kamisato.

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

The House of Representatives reconvened at 12:05 o'clock p.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 68 and 70) and concurrent resolution (H.C.R. No. 52) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
68	Jointly to the Committees on Consumer Protection and Commerce and Intergovernmental Relations and International Affairs
70	Committee on Finance

H.C.R. No.

52	Jointly to the Committees on Consumer Protection and Commerce and Intergovernmental Relations and International Affairs
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COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
656	Committee on Judiciary
671	Committee on Judiciary
776	Committee on Finance
664	Committee on Finance
845	Jointly to the Committees on Human Services and Health, then to the Committee on Finance
857	Committee on Finance
1216	Committee on Ocean and Marine Resources, then to the Committee on Finance
1217	Committee on Ocean and Marine Resources, then to the Committee on Finance
1218	Committee on Ocean and Marine Resources, then to the Committee on Finance
1301	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
1661	Committee on Consumer Protection and Commerce, then to the Committee on Finance
1822	Committee on Finance

UNFINISHED BUSINESS

Stand. Com. Rep. No. 12 on H.B. No. 1900:

On motion by Representative Takamine, seconded by Representative Horita and carried, the report of the Committee was adopted and H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," passed Second Reading and notwithstanding the recommendation of the committee report, was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 1216, as amended in HD 1, be recommitted to the Committee on Ocean and Marine Resources.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 1216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," was recommitted to the Committee on Ocean and Marine Resources.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 1217, as amended in HD 1, be recommitted to the Committee on Ocean and Marine Resources.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the

Committee was adopted and H.B. No. 1217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was recommended to the Committee on Ocean and Marine Resources.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 213, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 213, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NEAR SHORE FISHERY AND MARINE RESOURCES DEPLETION STUDY," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 20, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 20, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NETS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 104, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 105, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.B. No. 105, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS DIVISION ADMINISTRATIVE RULES AND PENALTIES THEREFOR," passed Second Reading and was referred to the Committee on Judiciary.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 94, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 94, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 92, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 92, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 40) recommending that H.R. No. 19, be adopted.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.R. No. 19, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ASSESS THE FEASIBILITY OF CONSTRUCTING AN AUTOMATED FIXED RAIL 'PEOPLE MOVER' AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 41) recommending that H.C.R. No. 17, be adopted.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ASSESS THE FEASIBILITY OF CONSTRUCTING AN AUTOMATED FIXED RAIL 'PEOPLE MOVER' AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 42) recommending that H.B. No. 78, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.B. No. 78, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 43) recommending that H.B. No. 118, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.B. No. 118, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep.

No. 44) recommending that H.B. No. 1218, as amended in HD 1, be recommitted to the Committee on Ocean and Marine Resources.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 1218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN MANAGEMENT," was recommitted to the Committee on Ocean and Marine Resources.

At 12:11 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 12:12 o'clock p.m.

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 1301, as amended in HD 1, be recommitted to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Tom, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 1301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was recommitted to the Committee on Intergovernmental Relations and International Affairs.

INTRODUCTION OF RESOLUTION

By unanimous consent, the following concurrent resolution (H.C.R. No. 53) was referred to the Committee on Legislative Management and further action was deferred:

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE RECENT FRANCHISE AGREEMENT BETWEEN OCEANIC CABLE AND THE STATE AND REQUESTING THE STATE TO REQUEST A WAIVER FROM THE FEDERAL COMMUNICATIONS COMMISSION TO ALLOW HAWAII TO REGULATE CABLE RATES," was offered by Representative Cavasso.

ANNOUNCEMENTS

Representative Hayes: "Your Committee on Housing will hold a hearing tomorrow morning at 8:30 in Room 416."

Representative Leong: "Your Committee on Health will hold a public hearing this evening at 6:00 in Conference Room 314. Decision-making will follow if time permits."

Representative Hirayama: "Your Committee on Tourism will be holding a public hearing in Room 327-328 at 8:30 tomorrow morning. Decision-making to follow."

Representative Kanoho: "Your Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs will be holding a joint hearing tomorrow morning at 8:30 in Room 314. Decision-making to follow time permitting."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having an informational briefing this afternoon at 1:30 in Conference Room 328, and the briefing will be on the no-fault insurance law.

Following this briefing will be a public hearing on House Bill 42. Decision-making to follow if time permits."

Representative Isbell: "I would like to request that all of those legislators who plan to participate Friday evening, if they would please meet tomorrow morning, 7:30, in the Majority Caucus area and Friday morning at 7:30, and for those who cannot get up quite that early, we are having a second practice at 12:00 or so after session tomorrow and Friday."

Representative Hagino: "There will be a Water and Land Use Development Committee hearing this evening at 6:30 p.m. in Conference Room 416. There will also be a Judiciary Committee hearing this evening at 6:30 p.m. in Conference Room 328. Decision-making to follow both hearings if time permits."

Representative Taniguchi: "Your Committee on Higher Education and the Arts will be holding a public hearing jointly with the Committee on Judiciary today at 2:00 p.m., Room 310. Decision-making to follow if time permits."

Representative Horita: "Your Committee on Labor is having a public hearing this evening at 7:00 p.m. in Conference Room 310. Decision-making to follow."

ADJOURNMENT

At 12:15 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, Thursday, February 16, 1989.

TWENTY-SECOND DAY

Thursday, February 15, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:35 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain (Capt.) George Duncon, 15th Air Base Wing (PACAF), after which the Roll was called showing all members present with the exception of Representatives Andrews, Chang and Fukunaga, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-First Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Twenty-First Day was approved.

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

Representative Kanoho introduced "a group of very special people who have and are still contributing much to the island of Kauai. They are the legislative delegates from each of the nine senior centers on Kauai who have come to officially observe the legislative process." They were accompanied by Mary Ventura, Legislative Council Chairperson; Kealoha Takahashi and Naomi Sugihara, program coordinators; and Ellie Lloyd, Director of the Office of Elderly Affairs.

Representative Hirono introduced a group of fifth and sixth grade students from Bingham Tract School. They were accompanied by their teachers, Emily Alsop and Rawley Coleman.

Representative Oshiro introduced Mr. Jean Marie Aubriot, Senior Vice President of Metro Transit, Incorporated, from Paris, France, "supplier and manufacturer of a rubber-tired rapid transit system that has been very successful in the city of Leo, which is a city in Northern France. They are presently in the process of installing such a system in Chicago and Jacksonville."

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:51 o'clock a.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering a certain resolution.

INTRODUCTION OF RESOLUTION

H.R. No. 71, entitled: "HOUSE RESOLUTION HONORING IOLANI SCHOOL," was jointly offered by Representatives Kihano, Alcon, Anderson, Andrews, Apo, Baker, Bellinger, Bunda, Bybee, Cavasso, Fukunaga, Hagino, Hashimoto, Hayes, Hiraki, Hirayama, Hirono, Honda, Horita, D. Ige, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Kotani, Lee, Leong, Liu, Marumoto, Metcalf,

Okamura, O'Kieffe, Oshiro, Peters, Say, Shon, Souki, Stegmaier, Tajiri, Takamine, Taniguchi, Tom and Yoshimura and was read by the Clerk.

On motion by Representative Okamura, seconded by Representative Souki and carried, H.R. No. 71 was adopted.

Representative Okamura then proceeded to introduce the honorees, stating:

"Mr. Speaker, on behalf of yourself and all of the members of this body, I would like to extend our congratulations to all of the students, graduates and staff of Iolani School as they celebrate their 125th anniversary.

"For their first 116 years of its existence, Iolani was exclusively a boys school and only since 1979, they have begun admitting girls. Among the many outstanding and distinguished graduates and students from Iolani is this year's recently elected Junior Miss, the high school senior who best exemplifies scholastic ability, community service activities, and physical fitness."

Representative Okamura then asked the following persons to stand to be recognized: Mr. David Coons, Headmaster; Mr. Don Takaki, a member of the Board of Governors; David Oyadomori, Student Body President; and Marcie Uyehara.

Representative Okamura presented Mr. Coons with a certified copy of the resolution while floral leis were presented to the honorees by Representatives Baker, Hashimoto, Kawakami and Tam.

At 11:56 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 270, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Tom, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 270, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEETINGS WITH HAWAII'S SISTER STATES," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 259, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Tom, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECLARATION OF NATIONAL EMERGENCY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 359 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 359, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILD TAX CREDIT," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 324 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 324, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 362, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 361, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 62, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 62, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 24, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 24, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF THE ENVIRONMENTAL REVIEW

PROCESS," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 615 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 615, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LITTER CONTROL EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 180 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO OCEAN ENERGY," passed Second Reading and was referred to the Committee on Finance.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 124 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Tam, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 124, entitled: "A BILL FOR AN ACT RELATING TO TRESPASS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 87, pass Second Reading and 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.B. No. 87, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE MAIN BRANCH OF THE STATE LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 21, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 21, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 22 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 22, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WORLD HYDROGEN ENERGY CONFERENCE," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 60) recommending that H.B. No. 178 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS EMERGENCY RESPONSE TRAINING," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 470, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH EROSION," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 244, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 56, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 56, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 1030 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1030, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF THE NEEDS OF AND AVAILABLE SERVICES FOR PREGNANT MINORS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 66) recommending that H.B. No. 199, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 199, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PAPAYAS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 67) recommending that H.B. No. 204, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 204, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTROL THE GORSE INFESTATION ON THE ISLANDS OF HAWAII AND MAUI," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 68) recommending that H.B. No. 203, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 203, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRODUCT PROMOTION PROGRAMS FOR ANTHURIUMS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 202, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 202, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROGRAMS TO PROMOTE GINGER ROOT PRODUCED IN THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 200, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII AGRICULTURAL LEADERSHIP FOUNDATION, STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 198, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 198, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MILK PROMOTION," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 72) recommending that H.B. No. 197 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 197, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BIOLOGICAL CONTROL PROJECT TO CONTROL WEBWORMS ON MAUI," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 73) recommending that H.B. No. 196 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 196, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A EUROPEAN BROWN SNAIL CONTROL PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 74) recommending that H.B. No. 195 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 195, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANT AND NONDOMESTIC ANIMAL QUARANTINE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 75) recommending that H.B. No. 194, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 194, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PERMANENT COUNTY AGENT IN KONA, HAWAII TO SPECIALIZE

IN ORCHARD CROPS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 76) recommending that H.B. No. 190, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 190, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 191 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 191, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF HAWAIIAN BEEF PRODUCTS," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 192, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 192, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH," passed Second Reading and was referred to the Committee on Finance.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No. 193, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Leong and carried, the report of the Committee was adopted and H.B. No. 193, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PERMANENT CUT FLOWER COUNTY AGENT IN EAST HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representatives Cachola and Tom, for the Committees on Tourism and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 80) recommending that H.B. No. 639, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Tom and carried, the joint report of the Committees was adopted and H.B. No. 639, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARTICIPATION BY HAWAII AT THE OSAKA EXPO '90," passed Second Reading and was referred to the Committee on Finance.

Representatives Cachola and Tom, for the Committees on Tourism and Intergovernmental Relations and

International Affairs, presented a joint report (Stand. Com. Rep. No. 81) recommending that H.B. No. 81, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Tom and carried, the joint report of the Committee was adopted and H.B. No. 81, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 1546 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1546, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IRONMAN TRIATHLON," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 83) recommending that H.B. No. 1544 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1544, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARITIME ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 84) recommending that H.B. No. 1542 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1542, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WESTERN CONFERENCE OF ASSOCIATION EXECUTIVES," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 1545 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1545, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU MARATHON," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 1551 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1551, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HULA BOWL," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 80, as amended in HD 1,

pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VISITOR INDUSTRY EDUCATIONAL AND TRAINING PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 79, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 1552, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1552, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA BOWL," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 1547 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 1547, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII OPEN AMATEUR BASEBALL TOURNAMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 428 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 428, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEED MONEY TO MARKET THE 'OCEAN 91' CONFERENCE ON OCEAN TECHNOLOGY IN HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 626 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 626, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING TSUNAMI PREPAREDNESS IN

HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 856 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII AND THE SEA '90 CONFERENCE," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 1208 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 1208, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RAISING PUBLIC AWARENESS OF HAWAII'S EXCLUSIVE ECONOMIC ZONE," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 1211, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 1211, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF DEEP SEA RESEARCH CAPABILITIES AT THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 508 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 508, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING FOR THE PACIFIC INTERNATIONAL CENTER FOR HIGH TECHNOLOGY RESEARCH TO UNDERTAKE A PACIFIC FISHERIES ASSESSMENT AND SATELLITE DATA NETWORK DEVELOPMENT PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Bunda, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 1310 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 1310, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A NATIONAL OCEAN RESOURCES LABORATORY," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 98)

recommending that H.B. No. 1445, as amended in HD 1, be recommitted to the Committee on Planning, Energy and Environmental Protection.

Representative Kanoho moved that the report of the Committee be adopted and H.B. No. 1445, as amended in HD 1, be recommitted to the Committee on Planning, Energy and Environmental Protection.

At 12:37 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 12:38 o'clock p.m., the motion was seconded by Representative Alcon.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was recommitted to the Committee on Planning, Energy and Environmental Protection.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 99) recommending that H.B. No. 469, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 469, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ERADICATION OF BANANA POKA," passed Second Reading and was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 100) recommending that H.B. No. 23, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kanoho, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 23, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 101) recommending that H.B. No. 45, as amended in HD 1, be recommitted to the Committee on Judiciary.

On motion by Representative Metcalf, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 45, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY CRIMES," was recommitted to the Committee on Judiciary.

SUSPENSION OF RULES

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

THIRD READING

H.B. No. 78

On motion by Representative Oshiro, seconded by Representative Bybee and carried, the report of the Committee was adopted and H.B. No. 78, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Andrews, Chang and Fukunaga being excused.

The Chair directed the Clerk to note that H.B. No. 78 had passed Third Reading at 12:40 o'clock p.m.

ANNOUNCEMENTS

Representative Metcalf: "Your Committee on Judiciary will be having a public hearing this afternoon in Conference Room 328 at 1:30. Decision-making to follow time permitting."

Representative Metcalf then asked for waiver of the 48-hour notice requirement to "do decision-making on matters previously deferred, being H.B. Nos. 140, 189, 210, 232, 240, 576, 1699, 1870, 182, 273, 631 and 920," and the Chair "so ordered."

Representative Tom then rose and requested waiver of the 48-hour notice requirement to hear House Bill No. 1301, HD 1, relating to counties, and the Chair "so ordered."

Representative Baker: "Your Committee on Intergovernmental Relations and International Affairs along with your Committee on Water and Land Use will be holding a joint public hearing Friday, February 17th, at 9:00, Conference Room 328. Following that, your Committee on Intergovernmental Relations and International Affairs will hold a public hearing on House Bill 1301. Decision-making to follow if time permits."

Representative Leong: "Your Committee on Health will hold a public hearing tomorrow morning at 8:00 jointly with the Judiciary and IGR Committees. Following that, the Health Committee will continue on with its agenda. Decision-making will follow if time permits."

Representative Hayes then rose and requested waiver of the 48-hour notice requirement "for public decision-making on House Bill 1274, relating to taxation, and House Bill 1781, relating to the conveyance tax law. Both of them were heard this morning but have a double referral."

The Chair "so ordered."

Representative Hayes: "I would like to request that the Committee on Consumer Protection and the Committee on Housing meet at 1:00 in Room 416 for decision-making on 1274, and that the Committee on Housing stay for decision-making on H.B. No. 1781."

Representative Stegmaier: "Your Committee on Ocean and Marine Resources will be holding a public hearing tomorrow morning at 8:30 in Conference Room 314."

Representative Hagino then rose and requested waiver of the 48-hour notice requirement "for the purpose of decision-making on three bills previously deferred: House Bills 1670, 17 and 1801, and to reconsider decisions previously taken on House Bills 37 and 1450," and the Chair "so ordered."

Representative Hagino: "There will be a decision-making meeting of the Economic Development and Hawaiian Affairs Committee and the Water and Land Use Committee and the Transportation Committee this afternoon at 6:00 p.m. in the Majority Caucus Room."

Representative Hagino then requested waiver of the 48-hour notice requirement "for the purpose of hearing House Bill 1348, relating to the Employees' Retirement System, and House Bill 45, HD 1, relating to property crime. These two bills will be heard at 1:30 p.m. in Conference Room 328 before the Committee on Judiciary."

The Chair "so ordered."

Representative Lee: "Your Committee on Education will hold a public hearing on a number of bills relating to governance of the School Board in Room 310 at 1:30 this afternoon. Decision-making to follow."

At 12:45 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 12:46 o'clock p.m.

Representative Hiraki: "Your Committee on Consumer Protection and Commerce and your Committee on Judiciary will be having a joint public hearing this evening at 6:30 in Conference Room 328. Decision-making to follow if time permits."

At this time, Representative Apo moved to keep the Journal open until 12:00 o'clock midnight this legislative day, and that all Standing Committee Reports received by the Clerk up to that time be adopted and that said bills pass Second Reading and be referred to their designated committees.

The motion was seconded by Representative Hemmings.

At 12:47 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

Pursuant to a motion made earlier, the following Standing Committee Reports (Stand. Com. Rep. Nos. 102 to 124) which were received by the Clerk up to 12:00 o'clock midnight this legislative day, passed Second Reading and were referred to their designated committees:

Stand. Com. Rep. No. 102 (WLD) was adopted and H.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN RELATED ACTIVITIES," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Stand. Com. Rep. No. 103 (WLD) was adopted and H.B. No. 30, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 104 (WLD) was adopted and H.B. No. 406, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 105 (WLD) was adopted and H.B. No. 628, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING THE STATEWIDE RAINFALL AND FLOOD INFORMATION SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 106 (WLD) was adopted and H.B. No. 975, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING THE KA IWI SCENIC SHORELINE PARK MULTIPLE USE COASTAL RECREATION AREA, KOKO HEAD TO MAKAPU'U, OAHU," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 107 (WLD) was adopted and H.B. No. 32, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 108 (WLD) was adopted and H.B. No. 31, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 109 (WLD) was adopted and H.B. No. 727, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 110 (WLD) was adopted and H.B. No. 533, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 111 (WLD) was adopted and H.B. No. 1413, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS SYSTEM," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 112 (HUS) was adopted and H.B. No. 67, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 113 (HUS) was adopted and H.B. No. 65, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEDICAL ASSISTANCE FOR LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 114 (HUS) was adopted and H.B. No. 444, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 115 (HUS) was adopted and H.B. No. 321, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-RETIREMENT PREPARATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 116 (HUS) was adopted and H.B. No. 68, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIALIZED FOSTER CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 117 (HUS) was adopted and H.B. No. 357, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ELDERLY CAREGIVER TRAINING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 118 (HUS) was adopted and H.B. No. 141, as amended in HD 1, entitled: "A BILL

FOR AN ACT RELATING TO CARE FOR THE ELDERLY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 119 (HUS) was adopted and H.B. No. 64, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 120 (HUS) was adopted and H.B. No. 436, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES FOR REIMBURSEMENT OF DENTAL HEALTH SERVICES STATEWIDE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 121 (HUS) was adopted and H.B. No. 69, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 122 (WLD) was adopted and H.B. No. 35, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATION AND PARKS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 123 (WLD) was adopted and H.B. No. 1337, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER MONITORING SYSTEMS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 124 (WLD) was adopted and H.B. No. 1049, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, February 17, 1989.

TWENTY-THIRD DAY

Friday, February 17, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Julia McKenna-Ritchie of the Church of Divine Harmony, after which the Roll was called showing all members present with the exception of Representative Chang, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Second Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Second Day was approved.

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

Representative Tam introduced a group of fifth grade students from Maemae Elementary School. They were accompanied by their teachers, Sharon Chun and Jane Toyama.

Representative Tom introduced 36 second grade students and 31 fifth grade students from Epiphany School, including his sons, Matthew and Mark. They were accompanied by their teachers, Julie Schlumpf, Jean Okumura (2nd grade), Diane Turpel and Windy Tadani (5th grade).

Representative Peters introduced 17 gifted and talented students from Lehouk School. They were accompanied by their teachers, Debbie Ginoza, Vicky Yama, Darrin Sato and Glen Tokunaga.

Representative Alcon introduced two constituents from Kalihi -- Mr. Eugene Cachola and Mr. Roy Pilien. They were accompanied by Dr. Ben.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
177	Committee on Finance
542	Committee on Human Services, then to the Committee on Finance
619	Committee on Finance
620	Committee on Finance
621	Committee on Finance
695	Committee on Finance
696	Committee on Finance
697	Committee on Finance
698	Committee on Finance

699	Committee on Finance
700	Committee on Finance
701	Committee on Finance
702	Committee on Finance
703	Committee on Finance
704	Committee on Finance
705	Committee on Finance
706	Committee on Finance
707	Committee on Finance
1146	Committee on Judiciary
1336	Committee on Finance
1483	Committee on Finance
1604	Committee on Finance

The following resolution (H.R. No. 68) and concurrent resolution (H.C.R. No. 52) were re-referred as follows:

<u>H.R. No.</u>	<u>Re-referred to:</u>
68	Committee on Consumer Protection and Commerce
<u>H.C.R. No.</u>	
52	Committee on Consumer Protection and Commerce

INTRODUCTION OF RESOLUTIONS

The following concurrent resolutions (H.C.R. Nos. 54 and 55) were read by the Clerk and were disposed of as follows:

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE MANDATORY RECESS," was jointly offered by Representatives Okamura and Liu.

On motion by Representative Okamura, seconded by Representative Liu and carried, H.C.R. No. 54 was adopted.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A LEGISLATIVE RECESS," was jointly offered by Representatives Okamura and Liu.

On motion by Representative Okamura, seconded by Representative Liu and carried, H.C.R. No. 55 was adopted.

At 11:54 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 392 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hagino, seconded by Representative Isbell and carried, the report of the Committee was adopted and H.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO ART," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1989.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 390 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 390, entitled: "A BILL FOR AN ACT RELATING TO REDRESS PAYMENTS TO JAPANESE INTERNED DURING WORLD WAR II," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1989.

ANNOUNCEMENTS

Representative Metcalf: "Your Committee on Judiciary will be having a joint public hearing with the Committee on Labor this evening to do decision-making only on House Bill 1315 relating to civil rights, followed thereafter, Mr. Speaker, by decision-making only on House Bill 189, House Bill 404, House Bill 920 and House Bill 349. With respect to those measures, Mr. Speaker, the Chair requests waiver of the 48-hour notice. These measures have all been previously heard. This is for decision-making purposes only."

The Chair "so ordered."

Representative Hagino then rose and requested waiver of the 48-hour notice requirement for the purpose of holding decision-making on House Bills 17 and 1670 regarding burial sites.

The Chair "so ordered."

Representative Hagino: "There will be a decision-making session of the Water and Land Use Committee and the Economic and Hawaiian Affairs Committee this afternoon at 4:00 at the time of the committee signing in the Majority Caucus Room."

Representative Fukunaga then rose and requested waiver of the 48-hour hearing requirement for decision-making on House Bills 1256 and 1258, and the Chair "so ordered."

Representative Fukunaga: "There will be a hearing of the Legislative Management Committee this afternoon for decision-making purposes only at 3:30 p.m. in Room 314. Additionally, your Committee on Finance will be holding a public hearing this afternoon in the Finance Conference Room. Decision-making to follow if time permits."

Representative Hirono then rose and requested waiver of the 48-hour notice requirement "for all items on the CPC agenda for this afternoon at 1:30 p.m." and the Chair "so ordered."

Representative Hirono: "There will be a joint public hearing between Consumer Protection and Commerce and

Judiciary at 1:30 p.m. this afternoon in Room 328. Decision-making to follow if time permits."

Representative Arakaki: "Your Committee on Human Services will be taking a tour of the Oahu Community Correctional Facility and also the Women's Correctional Facility. Our ride will be meeting us at 12:30 on the Beretania Street side of the Capitol."

Representative Shon: "I would like to remind my colleagues that one week from today, at approximately 5:00 p.m., the Surgeon General of the United States, C. Everett Koop, will deliver a lecture right here in this chamber both to House and Senate members who are interested as well as the general public."

At 12:09 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

Representative Horita: "Your Committee on Labor is having a public hearing Tuesday at 8:30 a.m. in Conference Room 328. Decision-making to follow."

Representative Leong: "Your Committee on Health will be holding a joint hearing with Judiciary on Tuesday, February 21, at 8:30 a.m. in Conference Room 310. Following that hearing, the Health Committee will continue on with its deliberations on several bills. Decision-making will follow if time permits."

The Chair then reminded the members "that because of the lateral deadline, that members notify your chairmen as to your whereabouts so that committee reports can be signed."

At this time, Representative Apo moved to keep the Journal open until 12:00 o'clock midnight this legislative day, and that all Standing Committee Reports received by the Clerk up to 12:00 o'clock midnight be adopted and that said bills pass Second Reading and be referred to their designated committees.

The motion was seconded by Representative Hemmings.

At 12:12 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

Pursuant to a motion made earlier, the following Standing Committee Reports (Stand. Com. Rep. Nos. 127 to 408) which were received by the Clerk up to 12:00 o'clock midnight this legislative day, passed Second Reading and were referred to their designated committees:

Stand. Com. Rep. No. 127 (EDN-Majority) was adopted and H.B. No. 93, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 128 (EDN) was adopted and H.B. No. 592, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TRAVELING STAR LAB," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 129 (EDN) was adopted and H.B. No. 1793, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RELOCATION OF THE MAIN STATE LIBRARY,"

passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 130 (EDN) was adopted and H.B. No. 672, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 131 (EDN) was adopted and H.B. No. 322, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SENIOR RESOURCE INVENTORY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 132 (HUS/HLT) was adopted and H.B. No. 845, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFANTS AND TODDLERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 133 (HUS) was adopted and H.B. No. 1624, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CONFERENCE ON CHILDREN, YOUTH, AND FAMILIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 134 (HUS) was adopted and H.B. No. 1623, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A SECURED SHORT-TERM RESIDENTIAL FACILITY FOR ADOLESCENTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 135 (HUS) was adopted and H.B. No. 1229, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 136 (HUS) was adopted and H.B. No. 622, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 137 (HUS) was adopted and H.B. No. 441, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 138 (HUS) was adopted and H.B. No. 1626, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRIMARY COUNSELING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 139 (HUS) was adopted and H.B. No. 1253, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOAN PROGRAM FOR THE ELDERLY AND HANDICAPPED," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 140 (HUS) was adopted and H.B. No. 1164, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDCARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 141 (HUS) was adopted and H.B. No. 911, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TREATMENT OF INCARCERATED SEX

OFFENDERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 142 (HUS) was adopted and H.B. No. 829, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL SECURITY INCOME PAYMENTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 143 (LAB) was adopted and H.B. No. 1913, entitled: "A BILL FOR AN ACT RELATING TO STATUS OF CONVICTED PERSONS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 144 (LAB) was adopted and H.B. No. 1853, entitled: "A BILL FOR AN ACT RELATING TO SHORTAGE CATEGORY CLASSES FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 145 (LAB) was adopted and H.B. No. 77, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARTIN LUTHER KING, JR., CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 146 (LAB) was adopted and H.B. No. 457, entitled: "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 147 (LAB) was adopted and H.B. No. 1231, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CASE MANAGEMENT COORDINATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 148 (LAB) was adopted and H.B. No. 1351, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 149 (LAB) was adopted and H.B. No. 1859, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE AND EXEMPTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 150 (LAB) was adopted and H.B. No. 1882, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 151 (LAB) was adopted and H.B. No. 1806, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS FOR PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 152 (LAB) was adopted and H.B. No. 1181, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASING CREDIT FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 153 (LAB) was adopted and H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 154 (LAB) was adopted and H.B. No. 708, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 155 (AGR) was adopted and H.B. No. 771, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 156 (AGR) was adopted and H.B. No. 890, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH ON LOW-INPUT SUSTAINABLE AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 157 (AGR) was adopted and H.B. No. 891, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YELLOW SUGAR CANE APHIDS RESEARCH AND CONTROL," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 158 (AGR) was adopted and H.B. No. 1199, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL CROPS REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 159 (AGR) was adopted and H.B. No. 1106, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON THE SHORTAGE OF POI AND TARO CROP DAMAGE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 160 (AGR) was adopted and H.B. No. 1200, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 161 (AGR) was adopted and H.B. No. 1426, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 162 (AGR) was adopted and H.B. No. 1608, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEMONSTRATION AQUACULTURE PROJECT WITH THE SUGAR INDUSTRY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 163 (WLD) was adopted and H.B. No. 1818, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF A PORTION OF THE KAPALAMA MILITARY RESERVATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 164 (WLD) was adopted and H.B. No. 285, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 165 (WLD) was adopted and H.B. No. 34, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 166 (OMR) was adopted and H.B. No. 424, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENT AT THE NATURAL ENERGY LABORATORY OF HAWAII FOR AQUACULTURE AND HATCHERY FACILITIES FOR MARINE SPECIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 167 (OMR) was adopted and H.B. No. 624, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TSUNAMI EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 168 (OMR) was adopted and H.B. No. 627, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TSUNAMI RESEARCH," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 169 (PEP) was adopted and H.B. No. 468, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GREENHOUSE WARMING REMEDIATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 170 (PEP) was adopted and H.B. No. 1652, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROTECT NATIVE FLORA," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 171 (PEP) was adopted and H.B. No. 1266, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SOLAR TECHNOLOGY TRANSFER," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 172 (PEP) was adopted and H.B. No. 366, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE AND EXPAND THE COMMUNITY GEOTHERMAL TECHNOLOGY PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 173 (PEP/AGR) was adopted and H.B. No. 1206, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 174 (HLT/HUS) was adopted and H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 175 (HLT) was adopted and H.B. No. 836, entitled: "A BILL FOR AN ACT RELATING TO HIV COUNSELING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 176 (HLT-Majority) was adopted and H.B. No. 262, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 177 (HLT) was adopted and H.B. No. 1152, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 178 (HLT-Majority) was adopted and H.B. No. 267, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 179 (HLT) was adopted and H.B. No. 142, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 180 (HLT) was adopted and H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN GENEALOGY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 181 (HLT) was adopted and H.B. No. 932, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 182 (HLT-Majority) was adopted and H.B. No. 1648, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 183 (HLT) was adopted and H.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representative Liu voting no.

Stand. Com. Rep. No. 184 (ECH) was adopted and H.B. No. 15, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 185 (ECH) was adopted and H.B. No. 16, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 186 (ECH) was adopted and H.B. No. 18, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS ON HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 187 (ECH) was adopted and H.B. No. 1209, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 188 (ECH) was adopted and H.B. No. 1085, entitled: "A BILL FOR AN ACT RELATING TO SPACE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 189 (ECH) was adopted and H.B. No. 1860, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 190 (ECH) was adopted and H.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 191 (ECH) was adopted and H.B. No. 669, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF AN EAST HAWAII FOOD TECHNOLOGY PROCESSING CENTER," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 192 (ECH) was adopted and H.B. No. 646, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 193 (ECH) was adopted and H.B. No. 1482, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF HAWAII'S FASHION INDUSTRY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 194 (PEP) was adopted and H.B. No. 1831, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 195 (HUS) was adopted and H.B. No. 926, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEN PERMANENT POSITIONS TO CURTAIL ABUSE IN THE STATE WELFARE SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 196 (HUS) was adopted and H.B. No. 913, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 197 (HUS) was adopted and H.B. No. 542, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 198 (HUS-Majority) was adopted and H.B. No. 604, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 199 (HUS) was adopted and H.B. No. 781, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CONFERENCE ON THE HOMELESS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 200 (HUS) was adopted and H.B. No. 782, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL AND RELATED SERVICES FOR OLDER ADULTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 201 (HUS) was adopted and H.B. No. 1251, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 202 (HUS) was adopted and H.B. No. 1628, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HO'OPONO SERVICES FOR THE BLIND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 203 (HUS) was adopted and H.B. No. 360, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 204 (HUS) was adopted and H.B. No. 323, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 205 (HUS) was adopted and H.B. No. 1165, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDCARE," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 206 (HUS) was adopted and H.B. No. 858, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 207 (HUS) was adopted and H.B. No. 356, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 208 (CPC) was adopted and H.B. No. 474, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 209 (CPC) was adopted and H.B. No. 937, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REGISTRATION OF CONDOMINIUM ASSOCIATIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 210 (CPC) was adopted and H.B. No. 1113, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAX," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 211 (CPC) was adopted and H.B. No. 940, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAX," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 212 (AGR) was adopted and H.B. No. 257, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONPOINT SOURCE POLLUTION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 213 (AGR) was adopted and H.B. No. 1867, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 214 (AGR) was adopted and H.B. No. 958, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 215 (AGR) was adopted and H.B. No. 766, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INVESTIGATION OF PAPAYA AS AN AGENT IN BLOCKING THE BIOLOGICAL EFFECTS OF HIGH ENERGY IRRADIATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 216 (AGR) was adopted and H.B. No. 765, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII TO CONSTRUCT FACILITIES TO GROW AND MAINTAIN ANTHURIUMS AND DENDROBIUMS AND TO CONDUCT RESEARCH IN THE IMPROVEMENT AND FURTHER CULTIVATION OF ANTHURIUMS AND DENDROBIUMS IN HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 217 (AGR) was adopted and H.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 218 (AGR) was adopted and H.B. No. 515, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRUIT FLY CONTROL AND ERADICATION PROJECTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 219 (AGR) was adopted and H.B. No. 276, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FIRETREE RESEARCH AND CONTROL," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 220 (AGR) was adopted and H.B. No. 201, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 221 (HLT-Majority) was adopted and H.B. No. 540, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDYING THE SPREAD OF GENETICALLY-MODIFIED ORGANISMS OR THEIR GENES DURING FIELD TESTING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 222 (HLT) was adopted and H.B. No. 917, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 223 (HLT) was adopted and H.B. No. 1651, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 224 (HLT) was adopted and H.B. No. 1416, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOLESCENT MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 225 (HLT) was adopted and H.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF HOSPICE CARE PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 226 (HLT/EDN-Majority) was adopted and H.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO TEENAGE HEALTH," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 227 (HLT) was adopted and H.B. No. 642, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 228 (EDN) was adopted and H.B. No. 1826, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 229 (EDN) was adopted and H.B. No. 1239, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 230 (EDN) was adopted and H.B. No. 91, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ADMINISTRATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 231 (EDN) was adopted and H.B. No. 85, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION TO MAINTAIN CLASS SIZE REDUCTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 232 (EDN) was adopted and H.B. No. 304, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE NOISE," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 233 (EDN) was adopted and H.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 234 (EDN) was adopted and H.B. No. 1851, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 235 (EDN) was adopted and H.B. No. 1794, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 236 (EDN) was adopted and H.B. No. 95, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 237 (EDN) was adopted and H.B. No. 258, as amended in HD 1, entitled: "A BILL

FOR AN ACT RELATING TO A TRANSITIONAL PLAN FOR HANDICAPPED PERSONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 238 (TSM) was adopted and H.B. No. 977, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 239 (TSM) was adopted and H.B. No. 584, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALLEVIATION OF TOURISM IMPACTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 240 (TSM) was adopted and H.B. No. 1549, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIKIKI CONVENTION CENTER AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 241 (TSM) was adopted and H.B. No. 1141, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF THE HAWAII FILMING INDUSTRY IN RECOGNITION OF ITS CONTRIBUTION TO TOURISM AND THE STATE'S ECONOMY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 242 (TSM) was adopted and H.B. No. 901, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 243 (LMG) was adopted and H.B. No. 1258, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 244 (LMG) was adopted and H.B. No. 1256, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 245 (LMG) was adopted and H.B. No. 1156, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CAPITOL TOUR AND INFORMATION SERVICE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 246 (LMG) was adopted and H.B. No. 587, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 247 (HED/JUD) was adopted and H.B. No. 119, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 248 (HED/ECH) was adopted and H.B. No. 1240, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF SPACE EDUCATION TEACHER RESOURCE CENTERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 249 (HED) was adopted and H.B. No. 1235, as amended in HD 1, entitled: "A BILL

FOR AN ACT MAKING AN APPROPRIATION FOR CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 250 (HED) was adopted and H.B. No. 1234, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 251 (HED) was adopted and H.B. No. 1233, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 252 (HED) was adopted and H.B. No. 1504, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ARRIVAL OF THE PORTUGUESE PEOPLE IN HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 253 (HED) was adopted and H.B. No. 1798, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 254 (HED) was adopted and H.B. No. 1812, entitled: "A BILL FOR AN ACT RELATING TO FISCAL CONTROL," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 255 (HED) was adopted and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARIES OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 256 (HED) was adopted and H.B. No. 243, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 257 (HED) was adopted and H.B. No. 1195, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISCOVERIES AND INVENTIONS REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 258 (HED) was adopted and H.B. No. 1194, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 259 (HED) was adopted and H.B. No. 1180, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 260 (HED) was adopted and H.B. No. 1157, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 261 (HED) was adopted and H.B. No. 1024, as amended in HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A STATE MUSEUM COMMISSION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 262 (HED) was adopted and H.B. No. 460, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOVING IMAGE PRESERVATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 263 (HED) was adopted and H.B. No. 451, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 264 (HED/ECH) was adopted and H.B. No. 135, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 265 (WLD/HED) was adopted and H.B. No. 38, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVITALIZATION OF DOWNTOWN HONOLULU," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 266 (WLD) was adopted and H.B. No. 280, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARTIFACTS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 267 (WLD) was adopted and H.B. No. 1821, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND BANKING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 268 (WLD) was adopted and H.B. No. 1450, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 269 (WLD) was adopted and H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 270 (WLD) was adopted and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES: MAKING A SUPPLEMENTARY APPROPRIATION OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1989," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 271 (WLD) was adopted and H.B. No. 350, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REDEVELOPMENT PLANNING AND ADMINISTRATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 272 (WLD) was adopted and H.B. No. 1629, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO WATER AND LAND USE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 273 (WLD) was adopted and H.B. No. 1829, entitled: "A BILL FOR AN ACT

RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 274 (WLD) was adopted and H.B. No. 1832, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 275 (WLD) was adopted and H.B. No. 1837, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 276 (WLD) was adopted and H.B. No. 37, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 277 (WLD) was adopted and H.B. No. 726, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 278 (WLD) was adopted and H.B. No. 1836, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 279 (HIA/WLD) was adopted and H.B. No. 1858, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 280 (HED) was adopted and H.B. No. 1196, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 281 (TRN) was adopted and H.B. No. 1918, entitled: "A BILL FOR AN ACT RELATING TO OPERATING AIRCRAFT WHILE INTOXICATED," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 282 (TRN) was adopted and H.B. No. 1751, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 283 (TRN) was adopted and H.B. No. 1921, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 284 (TRN-Majority) was adopted and H.B. No. 1842, entitled: "A BILL FOR AN ACT RELATING TO STATE SPECIAL FUNDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 285 (TRN) was adopted and H.B. No. 120, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 286 (TRN-Majority) was adopted and H.B. No. 1828, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed

Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 287 (TRN) was adopted and H.B. No. 1838, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 288 (TRN) was adopted and H.B. No. 1222, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 289 (TRN) was adopted and H.B. No. 1756, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR NEW VEHICLES AND OFFICIAL VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 290 (TRN) was adopted and H.B. No. 114, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCATION OF DRIVER'S LICENSES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 291 (TRN) was adopted and H.B. No. 1922, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 292 (TRN) was adopted and H.B. No. 1827, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF HAZARDOUS MATERIAL, HAZARDOUS WASTE, AND ETIOLOGIC AGENTS," passed Second Reading and was referred to the Committee on Planning, Energy and Environmental Protection.

Stand. Com. Rep. No. 293 (TRN) was adopted and H.B. No. 574, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 294 (TRN) was adopted and H.B. No. 821, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 295 (TRN) was adopted and H.B. No. 1841, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 296 (TRN) was adopted and H.B. No. 186, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED VEHICLES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 297 (TRN) was adopted and H.B. No. 111, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS RIDING IN PICKUP TRUCKS," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 298 (TRN) was adopted and H.B. No. 122, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 299 (TRN) was adopted and H.B. No. 127, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 300 (TRN) was adopted and H.B. No. 46, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 301 (TRN) was adopted and H.B. No. 735, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 302 (CPC) was adopted and H.B. No. 450, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD PROPERTY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 303 (CPC) was adopted and H.B. No. 1661, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 304 (ECH) was adopted and H.B. No. 9, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 305 (ECH) was adopted and H.B. No. 1144, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 306 (ECH) was adopted and H.B. No. 1331, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO A TASK FORCE FOR HAWAIIAN SERVICES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 307 (ECH) was adopted and H.B. No. 1438, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 308 (ECH) was adopted and H.B. No. 1490, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 309 (ECH) was adopted and H.B. No. 236, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 310 (ECH) was adopted and H.B. No. 12, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 311 (ECH) was adopted and H.B. No. 1905, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES

COMMISSION ACT, 1920 AS AMENDED," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 312 (ECH) was adopted and H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 313 (PEP) was adopted and H.B. No. 1850, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE FOR TREATMENT WORKS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 314 (IIA) was adopted and H.B. No. 73, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INFORMATION AND COMPLAINT SERVICE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 315 (IIA) was adopted and H.B. No. 1435, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY TO INVESTIGATE METHODS TO LIMIT UNREASONABLE INCREASES IN REAL PROPERTY TAXES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 316 (IIA) was adopted and H.B. No. 1301, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 317 (IIA) was adopted and H.B. No. 70, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 318 (IIA) was adopted and H.B. No. 1094, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CONSTRUCTION OF A NEW CORPORATION YARD AND PARK ON SAND ISLAND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 319 (IIA) was adopted and H.B. No. 1299, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTERING INTERNATIONAL ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 320 (HSG) was adopted and H.B. No. 884, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LOW-INTEREST LOANS TO HOLDERS OF MILOLII STATE LEASES FOR SELF-HELP HOME CONSTRUCTION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 321 (HSG) was adopted and H.B. No. 1039, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 322 (HSG) was adopted and H.B. No. 1292, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER HOUSING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 323 (HSG) was adopted and H.B. No. 1010, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 324 (HSG) was adopted and H.B. No. 1281, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 325 (HSG) was adopted and H.B. No. 1038, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 326 (HSG) was adopted and H.B. No. 1227, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A SECURITY PROGRAM FOR PUBLIC HOUSING PROJECTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 327 (HSG) was adopted and H.B. No. 1876, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 328 (HSG) was adopted and H.B. No. 1102, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF THREE AFTER SCHOOL DEMONSTRATION PROJECTS TO PROVIDE GUIDANCE TO YOUTHS RESIDING IN STATE PUBLIC HOUSING FACILITIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 329 (HSG) was adopted and H.B. No. 964, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RENTAL ASSISTANCE REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 330 (HSG) was adopted and H.B. No. 1862, entitled: "A BILL FOR AN ACT RELATING TO HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 331 (HSG) was adopted and H.B. No. 775, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 332 (HSG) was adopted and H.B. No. 58, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 333 (HSG-Majority) was adopted and H.B. No. 59, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 334 (HSG) was adopted and H.B. No. 1462, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed

Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 335 (HSG/WLD) was adopted and H.B. No. 681, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 336 (HLT) was adopted and H.B. No. 1906, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH INSURANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 337 (HLT) was adopted and H.B. No. 842, as amended in HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING AN EARLY CHILDHOOD FAMILY EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 338 (HLT) was adopted and H.B. No. 1028, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 339 (HLT) was adopted and H.B. No. 1847, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 340 (HLT) was adopted and H.B. No. 1654, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO HEALTH," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 341 (HLT) was adopted and H.B. No. 1058, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIDS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 342 (HLT) was adopted and H.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Stand. Com. Rep. No. 343 (HLT/JUD) was adopted and H.B. No. 139, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESSIBILITY OF PUBLIC BUILDINGS TO THE HANDICAPPED," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 344 (HLT/IIA) was adopted and H.B. No. 57, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE ALOHA HEALTH CORPS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 345 (PEP/IIA) was adopted and H.B. No. 28, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 346 (PEP/IIA) was adopted and H.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 347 (PEP) was adopted and H.B. No. 1265, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LITTER CONTROL ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 348 (PEP) was adopted and H.B. No. 298, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 349 (PEP) was adopted and H.B. No. 1295, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARTH DAY 20 CELEBRATIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 350 (PEP) was adopted and H.B. No. 1611, entitled: "A BILL FOR AN ACT AMENDING ACT 142, SESSION LAWS OF HAWAII 1988," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 351 (PEP) was adopted and H.B. No. 617, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GROUNDWATER CONTAMINATION DETECTION SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 352 (PEP) was adopted and H.B. No. 502, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS SUBSTANCES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 353 (PEP) was adopted and H.B. No. 1004, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 354 (LAB) was adopted and H.B. No. 484, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 355 (LAB-Majority) was adopted and H.B. No. 1356, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 356 (LAB) was adopted and H.B. No. 1378, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 357 (LAB) was adopted and H.B. No. 1358, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 358 (LAB) was adopted and H.B. No. 483, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 359 (LAB) was adopted and H.B. No. 1854, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION

OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Liu voting no.

Stand. Com. Rep. No. 360 (LAB) was adopted and H.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 361 (LAB) was adopted and H.B. No. 961, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMUNITY ACTION PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 362 (LAB) was adopted and H.B. No. 962, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 363 (LAB) was adopted and H.B. No. 924, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR STATE AND COUNTY SERVICE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 364 (HLT/TRN) was adopted and H.B. No. 263, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY NOISE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 365 (HLT-Majority) was adopted and H.B. No. 582, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS AND COMMUNICABLE DISEASES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 366 (WLD/ECH) was adopted and H.B. No. 17, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 367 (WLD/TRN) was adopted and H.B. No. 1801, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 368 (HLT/IIA) was adopted and H.B. No. 947, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CALIFORNIA-HAWAII PUBLIC HEALTH CARE DELIVERY SYSTEM COMPACT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 369 (OMR) was adopted and H.B. No. 1217, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 370 (OMR) was adopted and H.B. No. 431, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A COMPREHENSIVE PLAN ON NEARSHORE AREAS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 371 (OMR) was adopted and H.B. No. 1218, H.D. 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN

MANAGEMENT," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 372 (JUD/LAB) was adopted and H.B. No. 1315, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 373 (JUD) was adopted and H.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 374 (JUD) was adopted and H.B. No. 554, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF AN INTENSIVE SUPERVISION PROGRAM FOR DRUG OFFENDERS WITHIN THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 375 (JUD) was adopted and H.B. No. 555, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 376 (LAB) was adopted and H.B. No. 1362, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 377 (LAB) was adopted and H.B. No. 1306, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 378 (LAB) was adopted and H.B. No. 75, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 379 (LAB/HUS-Majority) was adopted and H.B. No. 74, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 380 (JUD) was adopted and H.B. No. 563, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 381 (JUD) was adopted and H.B. No. 43, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE DISPUTE RESOLUTION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 382 (JUD) was adopted and H.B. No. 189, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 383 (JUD) was adopted and H.B. No. 1681, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION OF A STATE LAW ENFORCEMENT FIREARMS TRAINING RANGE ON OAHU," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 384 (JUD) was adopted and H.B. No. 873, entitled: "A BILL FOR AN ACT RELATING TO VOTER INFORMATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 385 (JUD) was adopted and H.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFT DESIGNATIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 386 (JUD) was adopted and H.B. No. 1150, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 387 (JUD) was adopted and H.B. No. 919, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 388 (JUD/HUS) was adopted and H.B. No. 1225, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 389 (JUD) was adopted and H.B. No. 976, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 390 (JUD) was adopted and H.B. No. 630, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 391 (JUD) was adopted and H.B. No. 629, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 392 (JUD) was adopted and H.B. No. 694, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 393 (JUD) was adopted and H.B. No. 1717, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 394 (JUD) was adopted and H.B. No. 1701, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 395 (JUD) was adopted and H.B. No. 1646, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 396 (JUD) was adopted and H.B. No. 1619, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING

TO YOUTH GANGS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 397 (JUD) was adopted and H.B. No. 548, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 398 (JUD) was adopted and H.B. No. 235, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 399 (JUD) was adopted and H.B. No. 1824, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 400 (JUD) was adopted and H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 401 (JUD) was adopted and H.B. No. 1348, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 402 (JUD) was adopted and H.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 403 (JUD) was adopted and H.B. No. 631, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 404 (JUD) was adopted and H.B. No. 1808, entitled: "A BILL FOR AN ACT RELATING TO WITNESS AND DEFENDANT EXPENSES," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 405 (JUD) was adopted and H.B. No. 1700, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ASSESSMENT AND TREATMENT OF CONVICTED, ADULT SEX OFFENDER FELONS," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 406 (JUD) was adopted and H.B. No. 1809, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT FOR COUNSEL," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 407 (JUD) was adopted and H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Stand. Com. Rep. No. 408 (JUD) was adopted and H.B. No. 1617, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. on Tuesday, March 21, 1989.

TWENTY-FOURTH DAY

Tuesday, February 21, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:35 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Gary Morris of the Mennonite Fellowship, after which the Roll was called showing all members present with the exception of Representatives Duldulao, Hashimoto, Lee and Yoshimura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Third Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Third Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 3 and 4) were read by the Clerk and were placed on file:

Sen. Com. No. 3, returning House Concurrent Resolution No. 54 which was adopted by the Senate on February 17, 1989.

Sen. Com. No. 4, returning House Concurrent Resolution No. 55 which was adopted by the Senate on February 17, 1989.

At this time, the following introduction was made to the members of the House:

Representative Bybee introduced a special group of ten students from various locations throughout Oahu. "These are military family students and they are doing something called home schooling. This is where the parents and designated teachers will teach the students in the home." They were accompanied by their teachers, Kathy Peats and Denise Castle.

At 11:43 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:45 o'clock a.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

H.B. Nos.	Re-referred to:
164	Committee on Finance
224	Committee on Finance
300	Committee on Judiciary
302	Committee on Judiciary
303	Committee on Judiciary

323	Committee on Human Services, then to the Committee on Finance
352	Committee on Judiciary
865	Committee on Finance
1569	Committee on Finance
1732	Committee on Finance
1778	Committee on Finance
1835	Jointly to the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs
1844	Committee on Judiciary
1885	Committee on Higher Education and the Arts

The following H.C.R. was re-referred as follows:

H.C.R. No.	Re-referred to:
44	Jointly to the Committees on Consumer Protection and Commerce and Health, then to the Committee on Legislative Management

STANDING COMMITTEE REPORT

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 1042, as amended in HD 1, be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 1042, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was recommitted to the Committee on Consumer Protection and Commerce.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 72) was read by the Clerk and was disposed of as follows:

H.R. No. 72, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING ALEXANDER & BALDWIN, INC. ON RECEIVING THE 1988 BUSINESS IN THE ARTS AWARD," was jointly offered by Representatives Horita, Taniguchi, Baker, Chang, Fukunaga, Hagino, Hiraki, Hirayama, Hirono, Kanoho, Kotani, Lee, Marumoto, Oshiro, Say, Takamine and Yoshimura.

On motion by Representative Horita, seconded by Representative Taniguchi and carried, H.R. No. 72 was adopted.

Representative Horita then rose and proceeded to introduce the honorees, stating:

"Mr. Speaker and fellow colleagues, I am pleased to congratulate Alexander and Baldwin today for their active and strong financial support of the arts in our community over the years. Our State benefits from the arts, not only culturally, but in an economic sense as well by providing

an environment attractive to all employees and employers in our State.

"At this time, I would like to formally thank Alexander and Baldwin who today are represented by two of my long-time friends, Scott Matsuura and Marsha Peterson."

Representative Horita then asked Scott Matsuura and Marsha Peterson to stand to be recognized.

Floral leis were presented to Mr. Matsuura and Ms. Peterson by Representatives Baker and Taniguchi, respectively, while Representative Horita presented Mr. Matsuura with a certified copy of the resolution.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

By unanimous consent, the following resolutions (H.R. Nos. 73 to 80) and concurrent resolutions (H.C.R. Nos. 56 to 63) were referred to committee, as follows:

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A HARBOR ADVISORY COMMISSION," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.R. No. 74, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT A PREFERENTIAL PARKING POLICY FOR CAR-POOLS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.R. No. 75, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PROGRAM TO ENHANCE LUGGAGE SURVEILLANCE FOR INTER-ISLAND FLIGHTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.R. No. 76, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF ESTABLISHING ADVANCED LEARNING CENTERS (ALC'S)," was offered by Representative Oshiro.

Referred to: Committee on Education

H.R. No. 77, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF IMPLEMENTING A CRIME-PREVENTION PROGRAM," was offered by Representative Oshiro.

Referred to: Committee on Education

H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FORMAL REVIEW OF THE STATE'S SCHOOL BUS REQUIREMENTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.R. No. 79, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF

TRANSPORTATION DEVELOP A PROGRAM FOR ASSIGNING INSPECTORS AT BAGGAGE CLAIM AREAS AT THE STATE'S AIRPORTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.R. No. 80, entitled: "HOUSE RESOLUTION REQUESTING THE RETURN TO KALAUPAPA, MOLOKAI, OF THE REMAINS OF FATHER DAMIEN DEVEUSTER," was jointly offered by Representatives Bellinger, Baker, Alcon, Amaral, Anderson, Andrews, Apo, Arakaki, Bunda, Bybee, Cachola, Cavasso, Chang, Duldulao, Fukunaga, Hagino, Hashimoto, Hayes, Hemmings, Hiraki, Hirayama, Hirono, Honda, Horita, D, Ige, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Kihano, Kotani, Lee, Leong, Liu, Marumoto, Metcalf, O'Kieffe, Okamura, Oshiro, Peters, Say, Shon, Souki, Stegmaier, Tajiri, Takamine, Tam, Taniguchi, Tom and Yoshimura.

Referred to: Committee on Intergovernmental Relations and International Affairs

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION DEVELOP A PROGRAM FOR ASSIGNING INSPECTORS AT BAGGAGE CLAIM AREAS AT THE STATE'S AIRPORTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FORMAL REVIEW OF THE STATE'S SCHOOL BUS REQUIREMENTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT A PREFERENTIAL PARKING POLICY FOR CAR-POOLS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A HARBOR ADVISORY COMMISSION," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PROGRAM TO ENHANCE LUGGAGE SURVEILLANCE FOR INTER-ISLAND FLIGHTS," was offered by Representative Oshiro.

Referred to: Committee on Transportation

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF ESTABLISHING ADVANCED LEARNING CENTERS (ALC'S)," was offered by Representative Oshiro.

Referred to: Committee on Education

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF IMPLEMENTING A CRIME-PREVENTION PROGRAM," was offered by Representative Oshiro.

Referred to: Committee on Education

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RETURN TO KALAUPAPA, MOLOKAI, OF THE REMAINS OF FATHER DAMIEN DEVEUSTER," was jointly offered by Representatives Bellinger, Baker, Alcon, Amaral, Anderson, Andrews, Apo, Arakaki, Bunda, Bybee, Cachola, Cavasso, Chang, Duldulao, Fukunaga, Hagino, Hashimoto, Hayes, Hemmings, Hiraki, Hirayama, Hirono, Honda, Horita, D. Ige, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Kihano, Kotani, Lee, Leong, Liu, Marumoto, Metcalf, O'Kieffe, Okamura, Oshiro, Peters, Say, Shon, Souki, Stegmaier, Tajiri, Takamine, Tam, Taniguchi, Tom and Yoshimura.

Referred to: Committee on Intergovernmental Relations and International Affairs

Representative Bybee: "Your Committee on Transportation will hold a hearing tomorrow morning at 8:30 a.m. in Room 328. Decision-making to follow if time permits."

Representative Say: "Your Committee on Agriculture will be having a public hearing tomorrow in Room 416 at 8:30 a.m. Decision-making to follow."

ADJOURNMENT

At 12:08 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Wednesday, March 1, 1989.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Third Reading 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:

H.B. No. 392

On motion by Representative Hagino, seconded by Representative Isbell and carried, H.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO ART," passed Third Reading by a vote of 47 ayes, with Representatives Duldulao, Hashimoto, Lee and Yoshimura being excused.

H.B. No. 390

On motion by Representative Arakaki, seconded by Representative Ihara and carried, H.B. No. 390, entitled: "A BILL FOR AN ACT RELATING TO REDRESS PAYMENTS TO JAPANESE INTERNED DURING WORLD WAR II," passed Third Reading by a vote of 47 ayes, with Representatives Duldulao, Hashimoto, Lee and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 392 and 390 had passed Third Reading at 12:05 o'clock p.m.

ANNOUNCEMENTS

Representative Hiraki rose and requested waiver of the 48-hour notice requirement to hear House Bills 1803, 648 and 1480 for decision-making, and the Chair "so ordered."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having a public hearing tomorrow at 1:30 p.m. in Conference Room 328. Decision-making to follow if time permits."

TWENTY-FIFTH DAY

Wednesday, March 1, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by President T. David Hannemann of the Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all members present with the exception of Representatives Bunda and Shon, who were excused.

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

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 113 to 119) were read by the Clerk and were placed on file:

Gov. Msg. No. 113, informing the House that on February 8, 1989, he signed H.B. No. 299, as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Gov. Msg. No. 114, transmitting copies of the following Report to the Legislature prepared by the Department of Transportation on Act 390(88) - H.B. No. 2081, Section 43c, update of the distributed information processing and information resources management (DIPIRM) plan and cost effectiveness and benefits/cost of the intergraph system used by the department for highways design and engineering.

Gov. Msg. No. 115, transmitting copies of the 1988 report prepared by the Office of Space Industry, in response to Act 390, Section 13C, SLH 1988.

Gov. Msg. No. 116, transmitting copies of a report prepared and submitted by the University of Hawaii in response to SR 204, SD 1 (1988), requesting a study of foreign investments in real property and its impact on the State.

Gov. Msg. No. 117, transmitting copies of the 1988 Prison Population Management Report prepared by the Corrections Policy and Planning Committee.

Gov. Msg. No. 118, transmitting copies of "A Report on Tourism Destinations Competing with Hawaii," which was prepared for the Department of Business and Economic Development (DBED) by Arthur Young in response to Section 15 of the 1987 General Appropriations Act which appropriated \$75,000 for this purpose.

Gov. Msg. No. 119, transmitting copies of the publication entitled, Hawaii Production Directory 1989, prepared by the Film Industry Branch of the Department of Business and Economic Development.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 5 to 9) were read by the Clerk and were placed on file:

Sen. Com. No. 5, transmitting Senate Bill No. 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO ARCHIVAL RECORDS," which passed Third Reading in the Senate on February 21, 1989.

Sen. Com. No. 6, transmitting Senate Bill No. 12, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," which passed Third Reading in the Senate on February 21, 1989.

Sen. Com. No. 7, transmitting Senate Bill No. 245, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," which passed Third Reading in the Senate on February 21, 1989.

Sen. Com. No. 8, transmitting Senate Bill No. 408, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on February 21, 1989.

Sen. Com. No. 9, transmitting Senate Bill No. 1734, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," which passed Third Reading in the Senate on February 21, 1989.

On motion by Representative Apo, seconded by Representative Hemmings and carried, S.B. Nos. 3, SD 1; 12; 245; 408 and 1734, SD 1, passed First Reading by title and further action was deferred.

At this time, the following introduction was made to the members of the House:

Representative Takamine introduced a group of students "who are participating in the State Student Legislative Experience Program. The participating schools include Waiakea High School, Laupahoehoe High School, Kau High School, Pahoehoe High School and Hauula Intermediate School." They were accompanied by their chaperones, Marian Makaimoku, Curtis Onuma, Natalie Yokoyama and Jolene Maneza.

ORDER OF THE DAY

DEFERRED RESOLUTION

H.C.R. No. 53 was referred to the Committee on Consumer Protection and Commerce

COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

H.B. Nos.	Re-referred to:
463	Committee on Finance
661	Committee on Labor and Public Employment
1103	Committee on Finance
1445	Jointly to the Committees on Planning, Energy and Environmental Protection and Judiciary

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 93 and 94) were read by the Clerk and were disposed of as follows:

H.R. No. 93, entitled: "HOUSE RESOLUTION HONORING THE RIGHT REVEREND TAIKEN AKIYAMA," was jointly offered by Representatives Leong, Bunda, Arakaki, Baker, Duldulao and Lee.

On motion by Representative Leong, seconded by Representative Alcon and carried, H.R. No. 93 was adopted.

Representative Leong then rose to introduce the honoree, stating:

"The Right Reverend Akiyama is the head minister at the Haleiwa Shingon Mission and has been for the past thirty years. During this period, he achieved many honors and distinctions. Among these honors, Reverend Akiyama attained the rank of Dendo-Dai-Ajari, the highest title in the Shingon religion held by any minister outside of Japan.

"However, his pride and joy is the Haleiwa senior citizens' housing for which he was very instrumental in obtaining the necessary funds and support for the construction of an elderly housing.

"Mr. Speaker and my fellow colleagues, may I take this opportunity to introduce to you the Right Reverend Taiken Akiyama."

Representative Leong then asked the Right Reverend Akiyama to stand to be recognized. Accompanying the honoree were his wife, Nobuko, and daughter, Ann.

Representative Leong then asked the members of the Haleiwa Shingon Mission "who are here this morning to witness this great event" to stand to be recognized. They were accompanied by Mrs. Gora, his secretary.

Floral leis were presented to Right Reverend Akiyama and his family by Representatives Isbell, Bellinger and Ihara while Representative Leong presented the honoree with a certified copy of the resolution.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

H.R. No. 94, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING MR. RYOTARO SUGI," was jointly offered by Representatives Ihara, Hirayama, Amaral, Andrews, Hashimoto, Hiraki, Isbell, Kihano, Kotani, Metcalf, Oshiro, Say, Stegmaier, Tam, Taniguchi and Tom.

On motion by Representative Ihara, seconded by Representative Hirayama and carried, H.R. No. 94 was adopted.

Representative Ihara then proceeded to introduce the honoree, stating:

"Mr. Speaker, members of the House, ladies and gentlemen: I have the great pleasure this morning of introducing a gentleman who is completing ten years of giving to Hawaii charity organizations.

"Mr. Ryotaro Sugi is one of Japan's famous screen and stage stars and gave a benefit concert last night at the Sheraton Waikiki Hotel before more than a thousand fans, supporters and local dignitaries. I had the privilege of

being in the audience and enjoying the talent and skill of a real artist in action.

"Mr. Ryotaro Sugi is known to many of his fans as a samurai actor in a Japanese TV series known as **Toyama No Kinsan** and **Shingo the Detective**. Although he is no longer shown in the series, Mr. Sugi can be seen on Channel 13 on Sunday mornings in a dramatic series called, **Takeda Shingen**.

"Mr. Sugi's concert last night commemorates his tenth anniversary of charitable contributions to the State of Hawaii. His donations of \$10,000 to the Boys and Girls Clubs of Honolulu; \$10,000 to the Institute for Human Services; \$10,000 towards a \$25,000 Sugi Ryotaro Education Endowment Fund at the University of Hawaii; \$5,000 to the Star of the Sea School; and a \$35,000 Mazda automobile/van donation to the Honolulu Police Department. All of these donations this year alone is much more in total monies collected than at last night's show. And this truly indicates his love for Hawaii and our people because he dips into his personal revenues from his various performances throughout the world to make very generous contributions to our Hawaii community.

"Mr. Sugi's philanthropic efforts are international in nature. His donations to Hawaii organizations are varied and plentiful and rather than taking the time here to elaborate on his global involvement and citing Hawaii contributions, I have distributed an information sheet which are laying on each of your desks for your information. However, I would like to read the final paragraph which describes a unique, novel and magnanimous project initiated and maintained by Ryotaro Sugi, the philanthropist, and it goes: 'Sugi has established a perpetual trust fund entitled, **Thank You Twentieth Century**, in Osaka, Japan, which provides charitable donations to needy organizations all over the world.' The State of Hawaii has been designated to receive one-million yen (in current money, it is \$8,000) every year forever. That is, even after his death.

"Mr. Speaker, over the past couple of years, Japanese investors, especially real estate investors, have left a bad impression on the minds of our citizenry. Mr. Ryotaro Sugi is certainly a different kind of Japanese.

"I am proud to introduce this magnificent man - Ryotaro Sugi."

Representative Ihara then asked Mr. Ryotaro Sugi to stand to be recognized.

Representative Hirayama then rose and stated:

"Mr. Speaker, there was a devastating flood in Niu Valley, Kuliouou Valley and Hahaione Valley during the recent New Year's period of 1988. Many residents suffered damages to their homes, streets and public utilities. It was a traumatic experience for the people. Several individuals and organizations helped the people to recover. Mr. Sugi's one-million yen, designated for Hawaii which was just described by Representative Ihara, was donated to help this recovery.

"As a Representative representing the Aina Haina to Hawaii Kai district, I wish to publicly thank Mr. Ryotaro Sugi for his generosity and wish him to know that his \$8,000 donation was truly appreciated. It is very heartening to know that another Hawaii organization will be receiving Mr. Sugi's attention in 1989 and every year forever.

"Thank you very much."

Representative Ihara then proceeded to introduce Mrs. Nobuko Sugi, wife of Mr. Sugi, saying, "Mrs. Sugi spends many months in her Honolulu home -- they have a home in Kahala -- where their children attend the Star of the Sea School. Next is Jundai, an eleventh grader at Star of the Sea; Mayuki, a ninth grader at Star of the Sea; Kikue, a sixth grader at Star of the Sea; and Mr. Richard Fukuda who is Mr. Sugi's attorney and local representative."

Floral leis were presented to the honorees by Representatives Kawakami, Hirono, Isbell, Hirayama, Stegmaier, Arakaki and Chang while Representative Ihara presented Mr. Sugi with a certified copy of the resolution.

At 12:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:14 o'clock p.m.

By unanimous consent, the following resolutions (H.R. Nos. 81 to 86) and concurrent resolutions (H.C.R. Nos. 64 to 70) were referred to committee:

H.R. No. 81, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO REASSESS ITS ROLE IN THE CHAPTER 42 PROCESS AND DETERMINE HOW TO MORE EFFECTIVELY LEAD AND COORDINATE ITS IMPLEMENTATION," was jointly offered by Representatives Kotani, Alcon, Amaral, Apo, Bunda, Fukunaga, Hayes, Hiraki, Honda, Leong, Shon and Tom.

Referred to: Committee on Finance

H.R. No. 82, entitled: "HOUSE RESOLUTION OPPOSING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FINAL RULING PREEMPTING STATE PREVAILING WAGE RATES FOR WORKERS INVOLVED IN PUBLIC OR INDIAN HOUSING PROJECTS," was jointly offered by Representatives Kotani, Alcon, Amaral, Apo, Chang, Duldulao, Fukunaga, Hayes, Hiraki, Honda, Ihara, Isbell, Lee, Leong, Oshiro, Peters, Shon, Stegmaier, Tajiri, Takamine, Tam and Yoshimura.

Referred to: Committee on Labor and Public Employment

H.R. No. 83, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR AND COMMENDATION OF THE KAUAI WATER SAFETY SIGNAGE BEACH WARNING PROGRAM," was jointly offered by Representatives Apo, Kanoho and Kawakami.

Referred to: Committee on Water and Land Use

H.R. No. 84, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO AMEND THE SCHOOL CODE TO COVER SITUATIONS OF SCHOOL PERSONNEL CHARGED WITH CRIMINAL OFFENSES INVOLVING STUDENTS," was jointly offered by Representatives Baker, Amaral, Arakaki, Chang, Duldulao, Fukunaga, Hashimoto, Hayes, Hirayama, Honda, Horita, M. Ige, Isbell, Kanoho, Kawakami, Kotani, Lee, Leong, Marumoto, Say, Souki and Tom.

Referred to: Committee on Education, then to the Committee on Judiciary

H.R. No. 85, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO PASS A PROPOSAL TO AMEND THE U.S. CONSTITUTION TO ABOLISH THE ELECTORAL COLLEGE," was jointly offered by

Representatives Marumoto, Amaral, Anderson, Apo, Bybee, Duldulao, Fukunaga, Hashimoto, Hemmings, Hirayama, Honda, Horita, D. Ige, Kanoho, Kotani, Lee, Liu, Okamura, O'Kieffe, Say, Tajiri and Yoshimura.

Referred to: Committee on Intergovernmental Relations and International Affairs

H.R. No. 86, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP A STATEWIDE POLICY AND ALLOWABLE CRITERIA FOR THE USE OF AIR CONDITIONING IN CLASSROOMS AND INITIATE A MORATORIUM ON THE REMOVAL OF EXISTING AIR CONDITIONERS UNTIL THE INSTITUTION OF SUCH POLICY," was jointly offered by Representatives Marumoto, Amaral, Apo, Baker, Bybee, Cachola, Duldulao, Fukunaga, Hagino, Hashimoto, Hemmings, Hirayama, Honda, Horita, D. Ige, Kanoho, Kotani, Lee, Liu, Okamura, O'Kieffe, Oshiro, Say, Shon, Tajiri and Yoshimura.

Referred to: Committee on Education

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FINAL RULING PREEMPTING STATE PREVAILING WAGE RATES FOR WORKERS INVOLVED IN PUBLIC OR INDIAN HOUSING PROJECTS," was jointly offered by Representatives Kotani, Alcon, Amaral, Apo, Bunda, Chang, Duldulao, Fukunaga, Hayes, Hiraki, Honda, Ihara, Isbell, Lee, Leong, Oshiro, Peters, Shon, Stegmaier, Tajiri, Takamine, Tam and Yoshimura.

Referred to: Committee on Labor and Public Employment

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PERTAINING TO THE EFFECTIVE DATE FOR CONGRESSIONAL PAY RAISES," was offered by Representative Kihano.

Referred to: Committee on Judiciary

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO REASSESS ITS ROLE IN THE CHAPTER 42 PROCESS AND DETERMINE HOW TO MORE EFFECTIVELY LEAD AND COORDINATE ITS IMPLEMENTATION," was jointly offered by Representatives Kotani, Alcon, Amaral, Apo, Fukunaga, Hayes, Hiraki, Honda, Ihara, Leong, Shon, Tajiri and Tam.

Referred to: Committee on Finance

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR AND COMMENDATION OF THE KAUAI WATER SAFETY SIGNAGE BEACH WARNING PROGRAM," was jointly offered by Representatives Apo, Kanoho and Kawakami.

Referred to: Committee on Water and Land Use

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO AMEND THE SCHOOL CODE TO COVER SITUATIONS OF SCHOOL PERSONNEL CHARGED WITH CRIMINAL OFFENSES INVOLVING STUDENTS," was jointly offered by Representatives Baker, Amaral, Arakaki, Chang, Duldulao, Fukunaga, Hashimoto, Hayes, Hirayama, Honda, Horita, M. Ige,

Isbell, Kanoho, Kawakami, Kotani, Lee, Leong, Marumoto, Say, Souki and Tom.

Referred to: Committee on Education, then to the Committee on Judiciary

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP A STATEWIDE POLICY AND ALLOWABLE CRITERIA FOR THE USE OF AIR CONDITIONING IN CLASSROOMS AND INITIATE A MORATORIUM ON THE REMOVAL OF EXISTING AIR CONDITIONERS UNTIL THE INSTITUTION OF SUCH POLICY," was jointly offered by Representatives Marumoto, Amaral, Apo, Baker, Bybee, Cachola, Duldulao, Fukunaga, Hagino, Hashimoto, Hemmings, Hirayama, Honda, Horita, D. Ige, Kanoho, Kotani, Lee, Liu, Okamura, O'Kieffe, Oshiro, Say, Shon, Tajiri and Yoshimura.

Referred to: Committee on Education

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PASS A PROPOSAL TO AMEND THE U.S. CONSTITUTION TO ABOLISH THE ELECTORAL COLLEGE," was jointly offered by Representatives Marumoto, Amaral, Anderson, Apo, Bybee, Duldulao, Fukunaga, Hashimoto, Hemmings, Honda, Horita, D. Ige, Kanoho, Kotani, Lee, Liu, Okamura, O'Kieffe, Say and Yoshimura.

Referred to: Committee on Intergovernmental Relations and International Affairs

By unanimous consent, the following resolutions (H.R. Nos. 87 to 97) and concurrent resolutions (H.C.R. Nos. 71 to 78) were referred to the Committee on Legislative Management and further action was deferred:

H.R. No. 87, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF EXTENDING IMMUNITY FROM PARKING VIOLATIONS CITATIONS TO CERTAIN PERSONS," was offered by Representative Anderson.

H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A STATE DEPARTMENT OF LAW ENFORCEMENT," was offered by Representative Anderson.

H.R. No. 89, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE ANY MEASURE TO REDUCE MORTGAGE INTEREST TAX DEDUCTIONS," was jointly offered by Representatives Liu, Alcon, Amaral, Anderson, Bybee, Cachola, Cavasso, Chang, Hagino, Hayes, Hemmings, Hirayama, Honda, Isbell, Kotani, Leong, Marumoto, Metcalf, Shon, Stegmaier and Tom.

H.R. No. 90, entitled: "HOUSE RESOLUTION REQUESTING A DETERMINATION OF THE FEASIBILITY OF PURCHASING PROSTHETIC AND ORTHOPEDIC EQUIPMENT FROM FOREIGN COUNTRIES BY THE STATE," was jointly offered by Representatives Tam, Hagino, Hirayama, Hirono, Ihara, Kawakami, Kotani, Shon and Taniguchi.

H.R. No. 91, entitled: "HOUSE RESOLUTION REQUESTING AN EXPLANATION OF WHY SECURITY GUARDS ARE PLACED WITHIN COLLECTIVE BARGAINING UNIT 3," was jointly offered by Representatives Tam, Hirayama, Ihara, Kawakami and Kotani.

H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING A NUCLEAR WEAPONS TEST BAN," was jointly offered by Representatives Hagino, Andrews, Bellinger, Bunda, D. Ige, Isbell, Lee, Say and Shon.

H.R. No. 95, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON EXCHANGES," was offered by Representative Kihano.

H.R. No. 96, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE POSSIBLE CIVILIAN INDUSTRIAL USES FOR PEARL HARBOR NAVAL SHIPYARD," was offered by Representative Kihano.

H.R. No. 97, entitled: "HOUSE RESOLUTION REQUESTING THE VARIOUS MILITARY INSTALLATION SITUATED ALONG OAHU'S COASTLINE TO PERMIT PUBLIC ACCESS TO THEIR BEACHES AND SHORELINE AREAS," was jointly offered by Representatives Hagino, Andrews, Apo, Bellinger, Hemmings, Honda, D. Ige, Isbell, Lee and O'Kieffe.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF EXTENDING IMMUNITY FROM PARKING VIOLATION CITATIONS TO CERTAIN PERSONS," was offered by Representative Anderson.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A STATE DEPARTMENT OF LAW ENFORCEMENT," was offered by Representative Anderson.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A DETERMINATION OF THE FEASIBILITY OF PURCHASING PROSTHETIC AND ORTHOPEDIC EQUIPMENT FROM FOREIGN COUNTRIES BY THE STATE," was jointly offered by Representatives Tam, Fukunaga, Hagino, Hirayama, Hirono, Ihara, Kawakami, Kotani, Shon and Taniguchi.

H.C.R. NO. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXPLANATION OF WHY SECURITY GUARDS ARE PLACED WITHIN COLLECTIVE BARGAINING UNIT 3," was jointly offered by Representatives Tam, Hirayama, Ihara, Kawakami and Kotani.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A NUCLEAR WEAPONS TEST BAN," was jointly offered by Representatives Hagino, Andrews, Bellinger, Bunda, D. Ige, Isbell, Lee, Say and Shon.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON EXCHANGES," was offered by Representative Kihano.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE POSSIBLE CIVILIAN INDUSTRIAL USES FOR PEARL HARBOR NAVAL SHIPYARD," was offered by Representative Kihano.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE FORESTRY AND WILDLIFE DIVISION, DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Hagino, Apo, Bellinger, Honda, Isbell and O'Kieffe.

STANDING COMMITTEE REPORTS

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 411 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 411, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF INMATES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 408, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RULES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 172, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Andrews, seconded by Representative Kanoho and carried, the report of the Committee was adopted and H.B. No. 172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER HOLDING DEVICES," 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. 413) recommending that H.R. No. 10 be adopted.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 414) recommending that H.C.R. No. 6 be adopted.

Representative Hirono moved that the reports of the Committee be adopted and H.R. No. 10 and H.C.R. No. 6 be adopted, seconded by Representative Hiraki.

Representative Hemmings rose to speak against the resolutions, stating:

"Mr. Speaker, I am very concerned about the intent of these resolutions as they are passing through this chamber today. As I read it, the two major provisos are that they would require the insurance industry to absorb some of the risk of insuring human service agencies, and that secondly, the possibility of special appropriations being made to cover the liability cost of non-profit organizations. And this is a very sad substitute for tort

liability insurance reform, Mr. Speaker. There are alternatives.

"The real problem is that excessive insurance costs are not going to go away as long as the system is still paying excessive judgments. Ultimately, the consumers will pay in one form or another. Insurance companies, if they waive fees for certain agencies, will make up the money by passing on the cost to consumers in some other area.

"Secondly, making an appropriation is simply taking the money out of the taxpayers' pockets. That's called 'socialism,' Mr. Speaker.

"Both of them are not good alternatives to genuine insurance reform.

"I especially am concerned about the fifth paragraph where it talks about the insurance companies operating in Hawaii should be contributing members of the community and joining human service agencies by sharing a sense of civic responsibility.

"I don't think it is fair to the insurance companies to single them out and take money out of their pockets by themselves, possibly defense and plaintiff attorneys should join in this civic responsibility and money should be taken from them to help defray costs. Or, maybe, we could amend this to have the Insurance Commissioner say that when a private charitable organization is sued, that the attorneys involved can waive their fees to drive down the costs and still protect the right of the victim.

"These are alternatives. I don't think the resolution is addressing the real problem, and the problem is that we do not have genuine liability insurance reform.

"Particularly disturbing is the fact that the taxpayers are continuing to underwrite the cost of liability insurance for rural physicians. I thought that when we passed the alleged tort reform bill in 1986, that was a one-time appropriation. As we know, taxpayers are continuing to do so.

"And ultimately, the problem of tort liability insurance is still plaguing every citizen in this State by high cost, and juggling or moving fees from one sector to another is not solving the real problem.

"I would urge my colleagues to give serious consideration to this problem. I don't think this resolution is addressing the real issue here and, therefore, I am voting no.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 10, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO EXPLORE MECHANISMS FOR PROVIDING AFFORDABLE INSURANCE FOR HUMAN SERVICE AGENCIES," and H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO EXPLORE MECHANISMS FOR PROVIDING AFFORDABLE INSURANCE FOR HUMAN SERVICE AGENCIES," were adopted, with Representative Hemmings voting no.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 1856, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the

Committee was adopted and H.B. No. 1856, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," was recommitted to the Committee on Finance.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 1857, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1857, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," was recommitted to the Committee on Finance.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 475, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 49, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 49, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1811 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1811, entitled: "A BILL FOR AN ACT RELATING TO FISCAL CONTROL," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 876 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 876, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX FEES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 418 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 418, entitled: "A

BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 902 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cachola, seconded by Representative Hirayama and carried, the report of the Committee was adopted and H.B. No. 902, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was placed on the calendar for Third Reading.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 410 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 410, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF CORRECTIONS," 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. 424) recommending that H.B. No. 1667, as amended in HD 1, be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 1667, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was recommitted to the Committee on Consumer Protection and Commerce.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 618, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative Arakaki, seconded by Representative Ihara and carried, the report of the Committee was adopted and H.B. No. 618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 1015, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was recommitted to the Committee on Finance.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 946, as amended in HD 1, be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLDS," was recommitted to the Committee on Consumer Protection and Commerce.

At 12:23 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

ANNOUNCEMENTS

Representative Metcalf: "Your Committee on Judiciary will be holding a public hearing this evening at 6:30 in Room 328. Decision-making to follow time permitting."

Representative Metcalf then requested waiver of the 48-hour notice requirement to hear House Bill 453 relating to the statute of limitations, and House Bill 864 relating to the auditor, and the Chair "so ordered."

Representative Fukunaga: "Your Committee on Finance will be holding a series of hearings this afternoon commencing at 1:30 p.m. Decision-making to follow if time permits."

Representative Arakaki then rose and requested waiver of the 48-hour notice requirement to hear House Bill 361, HD 1, and House Bill 362, HD 1. "These are personal care services bills enabling non-medicaid recipients to receive services," and the Chair "so ordered."

Representative Arakaki: "We will be hearing House Bills 361 and 362 this afternoon at 4:30 in Conference Room 314, along with House Bill 618, HD 1."

Representative Lee: "Your Committee on Education will hold a public hearing at 6:30 this evening in Room 416 on House Bill 1813. Decision-making to follow if time permits."

Representative Kanoho: "Your Committee on Planning, Energy and Environmental Protection and your Committee on Judiciary will be conducting a joint public hearing tomorrow morning at 8:30 in Room 314. Decision-making to follow if time permits."

At 12:26 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 12:28 o'clock p.m.

Representative Amaral: "Your Committee on Housing is holding a joint committee hearing with the Committee on Judiciary and the Committee on Consumer Protection tomorrow, Thursday, March 2nd, at 8:30 a.m. in Room 310, for the purpose of rendering decisions for measures heard on Saturday, the 27th, and in addition, we are hearing testimony on House Bill 1280. Decision-making to follow if time permits."

Representative Hirono then rose and requested waiver of the 48-hour notice requirement to hear House Bills 502, HD 1, relating to hazardous substances; 59, HD 1, relating to condominium property regimes; and 285, HD 1, relating to condominium property regimes, and the Chair "so ordered."

Representative Hirono: "These three bills will be on the Consumer Protection and Commerce agenda this afternoon at 1:30 p.m. in Room 328."

Representative Hirono then requested waiver of the 48-hour notice requirement to hear House Bill 1667, HD 1, relating to public utilities which was recommitted to the

Committee on Consumer Protection and Commerce today, and the Chair "so ordered."

Representative Hirono: "This bill will be heard tomorrow afternoon at 6:30 p.m. in Room 328."

Representative Okamura: "There will be a Majority caucus in the Majority Caucus Room tomorrow morning at 10:45."

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, March 2, 1989.

TWENTY-SIXTH DAY

Thursday, March 2, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lt. Steve Sloat of the Pearl Harbor Naval Station, after which the Roll was called showing all members present with the exception of Representative Tajiri, who was excused.

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

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

SENATE COMMUNICATION

Sen. Com. No. 10, transmitting Senate Bill No. 1110, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," which passed Third Reading in the Senate on March 1, 1989, was read by the Clerk and was placed on file.

On motion by Representative Apo, seconded by Representative Hemmings and carried, S.B. No. 1110, SD 1, passed First Reading by title and further action was deferred.

At 11:40 o'clock a.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 11:40 o'clock a.m.

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

Representative Hayes introduced Jeanette Takamura, Loretta Schuller, Frank Eldredge and Jack Schwartz who all "have an interest in housing."

Representative Arakaki introduced Werner and Elizabeth Bookman from Sweibucken, Germany. They were accompanied by Mr. and Mrs. Larry Morisako and Mrs. Arizumi.

Representative Leong introduced a group of eighth grade students from Kahuku High School. They were accompanied by their teachers, Linda Smith and Colleen Everett.

Representative D. Ige introduced a group of sixth graders from Pearl City Highlands Elementary School. They were accompanied by their teachers, Mrs. Leatrice Higuchi, Mrs. Marilyn Christensen, Mrs. Gail Morgan and Mrs. Jo Ann Higashi.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
3	Committee on Judiciary
12	Committee on Judiciary
245	Committee on Finance
408	Committee on Finance
1110	Committee on Judiciary
1734	Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
361	Committee on Human Services
362	Committee on Human Services

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 98 and 99) were read by the Clerk and were disposed of as follows:

H.R. No. 98, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING DONALD R. HANSON," was offered by Representative Hayes.

On motion by Representative Hayes, seconded by Representative Horita and carried, H.R. No. 98 was adopted.

Representative Hayes then rose to introduce the honorees, stating:

"It is a great pleasure for me to present to you Mr. Donald R. Hanson and Mrs. Jane Hanson.

"Don has been a source of inspiration to many people in the housing industry. His is a true grassroots approach to solving the housing problems for many in our low-income groups. I think he led the first self-help housing group here which built 24 homes for, I think, about \$14,000 each and made homeowners out of 24 families. He was, for many years, an international housing adviser for the United Nations, and I think he started self-help housing in more countries than I can count. Since moving to Hawaii in 1975, he has shown that his concerns for low-income people in need of housing is still a paramount interest. If I looked over the whole community to find someone who would symbolize my concerns in housing, it would be Donald Hanson. I am sure that members of the House know also my concerns about land reform and here, too, I found someone who shares that concern.

"Mr. and Mrs. Hanson are also my neighbors. They live in the same building that I do.

"Thank you."

Representative Hayes then asked Mr. Donald Hanson and Mrs. Jane Hanson to stand to be recognized.

Floral leis were presented to Mr. Hanson by Representative Fukunaga and to Mrs. Hanson by Representative Shon, while Representative Hayes presented the honoree with a certified copy of the resolution.

H.R. No. 99, entitled: "HOUSE RESOLUTION HONORING FRANK J. MANAUT ON THE OCCASION OF HIS RETIREMENT FROM THE BANK OF HAWAII," was jointly offered by Representatives Okamura, Duldulao and Kihano.

On motion by Representative Okamura, seconded by Representative Duldulao and carried, H.R. No. 99 was adopted.

Representative Okamura rose to introduce the honoree, stating:

"Mr. Speaker and fellow colleagues, we have with us today a man whom all of you know very well, a person who had a very long and successful career with the State's largest financial organization--Bancorp Hawaii. I am referring, of course, to Mr. Frank Manaut who, after 39 years with Bancorp Hawaii, is retiring as Chairman and Chief Executive Officer.

"Mr. Manaut had joined the Bank of Hawaii as a management trainee and throughout his career has held a broad range of responsibilities--from manager of the Bank's Ala Moana, Kaimuki and Waipahu branches, and Assistant to the President, to Vice President for Oahu Branch Administration, to Executive Vice President for loans and investments. And in 1980, after serving as President of Bancorp Hawaii and Bank of Hawaii, he was elected Chairman and Chief Executive Officer.

"In the business community, Mr. Manaut also serves on the boards of the Chamber of Commerce, the Economic Development Corporation of Honolulu, the Center for International Commercial Dispute Resolution, and the East-West Foundation. In addition, he is a member of the Hawaii Business Roundtable, the Association of Reserve City Bankers, and the State of Hawaii's Space Facility Committee. At the same time, Mr. Manaut has been active in community activities and serves on the boards of the Coalition for a Drug-Free Hawaii and the Queen's Medical Center. He is also a trustee for the Nature Conservancy of Hawaii, the Honolulu Academy of Arts, and Punahou School, and serves on the Governor's Coordinating Committee for Father Damien's centennial celebration, and the Roman Catholic Diocese of Honolulu's Finance Committee.

"When speaking to members of his staff at the Bank of Hawaii, Mr. Speaker, the common description of Mr. Manaut is that he is a man of unquestionable integrity and fairness, a man who has developed an open-door policy and is accessible to all at the bank as well as others, a man who has developed an 'ohana spirit' at the bank--a team effort when no one individual stands out. Also that he is humble and down-to-earth, and I certainly can attest to this.

"My first interaction with Mr. Manaut was when I started my political career in 1978 in the Constitutional Convention. I ran as a candidate from Hawaii Kai where Mr. Manaut lives and he had mentioned to Dolly Ching, 'Who is that Filipino-looking boy with the Japanese name holding signs every morning?' I have never forgotten that and he and I have had, since then, a very warm relationship and I have come to truly respect this man.

"We are certainly going to miss him as he goes on to his retirement and, incidentally, he also recently celebrated his 65th birthday. We congratulate him for that.

"Mr. Speaker and fellow legislators, please join me in recognizing Mr. Frank Manaut for all of his contributions to our community and the State of Hawaii."

Representative Okamura then asked Mr. Manaut to stand to be recognized. Accompanying Mr. Manaut on the floor were his wife, Mrs. Allison Manaut, "a renowned abstract artist here in Hawaii as well as nationally;" John Pierre Manaut, his son; Mrs. Ann Catherine Hager, his daughter; and Michael George Manaut, his son. Unable to be here was another son, Paul Raoul Manaut.

Representative Duldulao presented Mr. Manaut with an ilima/maile lei; Representative Yoshimura presented Mrs. Manaut with a pikake lei; and floral leis were presented to their children by Representatives D. Ige, Marumoto, Kawakami, Hashimoto and Fukunaga. Representative Okamura presented Mr. Manaut with a certified copy of the resolution.

Representative Okamura then asked friends of the Manauts' who were seated in the gallery to stand to be recognized, as follows: Mr. and Mrs. Ken Worthy, Mrs. John Manaut, and Ms. Patty Chang.

The Chair then remarked:

"I am certainly proud to be part of this presentation here this morning with Mr. Manaut. I can recall many, many years ago when Mr. Manaut was with Bank of Hawaii out in Waipahu. I recall that he made me my first bank loan. I think it was for \$500 at that time. See how far that \$500 got me?"

At 11:56 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

By unanimous consent, the following resolutions (H.R. Nos. 100 to 103) and concurrent resolutions (H.C.R. Nos. 79 to 82) were referred to the Committee on Legislative Management and further action was deferred:

H.R. No. 100, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF PERSONNEL SERVICES," was jointly offered by Representatives Kotani, Takamine, Yoshimura, Arakaki, Hagino, D. Ige, Ihara, Okamura and Shon.

H.R. No. 101, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO CONSIDER RELOCATION OF U.S. MILITARY BASES IN OKINAWA TO OTHER AREAS," was jointly offered by Representatives Kotani, D. Ige, Takamine, Arakaki, Oshiro and M. Ige.

H.R. No. 102, entitled: "HOUSE RESOLUTION ENCOURAGING THE APPOINTMENT OF VOLUNTEER MARINE PATROL OFFICERS," was jointly offered by Representatives Tom, Anderson, Bunda, Chang, Hiraki, Honda, Horita, Ihara, Kawakami, Kotani, Lee, Say, Shon and Stegmaier.

H.R. No. 103, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORMULATE AN EMERGENCY TRAFFIC PLAN FOR THE LIKELIKE AND PALI HIGHWAYS," was jointly offered by Representatives Tom, Anderson, Bunda, Chang, Hiraki, Honda, Horita, Kotani, Lee, Say, Shon and Stegmaier.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF PERSONNEL SERVICES," was jointly offered by Representatives

Kotani, Takamine, Yoshimura, Arakaki, Hagino, Hirono, D. Ige, Ihara, Okamura and Shon.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO CONSIDER RELOCATION OF U.S. MILITARY BASES IN OKINAWA TO OTHER AREAS," was jointly offered by Representatives Kotani, D. Ige, Takamine, Arakaki, Oshiro and M. Ige.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE APPOINTMENT OF VOLUNTEER MARINE PATROL OFFICERS," was jointly offered by Representatives Tom, Anderson, Bunda, Chang, Hiraki, Honda, Horita, Ihara, Kawakami, Kotani, Lee, Say, Shon and Stegmaier.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORMULATE AN EMERGENCY TRAFFIC PLAN FOR THE LIKELIKE AND PALI HIGHWAYS," was jointly offered by Representatives Tom, Anderson, Bunda, Chang, Hiraki, Honda, Horita, Kawakami, Kotani, Lee, Say, Shon and Stegmaier.

STANDING COMMITTEE REPORTS

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 428) recommending that H.R. No. 64 be adopted.

On motion by Representative Kotani, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.R. No. 64, entitled: "HOUSE RESOLUTION RECOGNIZING FEBRUARY 19 AS A 'DAY OF REMEMBRANCE' OF THE SIGNING OF EXECUTIVE ORDER 9066 AND THE SUBSEQUENT INTERNMENT OF AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY DURING WORLD WAR II," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 429) recommending that H.C.R. No. 49 be adopted.

On motion by Representative Kotani, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING FEBRUARY 19 AS A 'DAY OF REMEMBRANCE' OF THE SIGNING OF EXECUTIVE ORDER 9066 AND THE SUBSEQUENT INTERNMENT OF AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY DURING WORLD WAR II," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 1810, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1810, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASE OF SERVICE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 733 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 733, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 420 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 420, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 416 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 416, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX EXTENSIONS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 462 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 462, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 1825 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1825, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 1805 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1805, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1114 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the

Committee was adopted and H.B. No. 1114, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHRISTMAS DECORATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 1797 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1797, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 4, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 439 and H.B. No. 4, HD 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. 4, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 440) recommending that H.B. No. 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 440 and H.B. No. 2, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 29, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 441 and H.B. No. 29, HD 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. 29, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 43, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 442 and H.B. No. 43, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 43, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings 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. 443) recommending that H.B. No. 23, HD 1, pass Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 23, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 31, HD 1, pass Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 23 and 31 had passed Third Reading at 12:24 o'clock p.m.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 22 pass Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 22, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WORLD HYDROGEN ENERGY CONFERENCE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 5 pass Third Reading.

On motion by Representative Souki, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 5, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ACQUIRING AND TRAINING DOGS FOR USE IN PLANT QUARANTINE INSPECTION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 22 and 5 had passed Third Reading at 12:25 o'clock p.m.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 945, as amended in HD 1, be recommended to the Committee on Consumer Protection and Commerce.

On motion by Representative Hirono, seconded by Representative Hiraki and carried, the report of the Committee was adopted and H.B. No. 945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommended to the Committee on Consumer Protection and Commerce.

THIRD READING

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

H.B. No. 411

On motion by Representative Arakaki, seconded by Representative Ihara and carried, H.B. No. 411, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF INMATES," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

H.B. No. 1811

On motion by Representative Souki, seconded by Representative Fukunaga and carried, H.B. No. 1811, entitled: "A BILL FOR AN ACT RELATING TO FISCAL CONTROL," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 411 and 1811 had passed Third Reading at 12:26 o'clock p.m.

H.B. No. 876

On motion by Representative Souki, seconded by Representative Fukunaga and carried, H.B. No. 876, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX FEES," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

H.B. No. 418

On motion by Representative Souki, seconded by Representative Fukunaga and carried, H.B. No. 418, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 876 and 418 had passed Third Reading at 12:27 o'clock p.m.

H.B. No. 902

On motion by Representative Cachola, seconded by Representative Hirayama and carried, H.B. No. 902, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

H.B. No. 410

On motion by Representative Arakaki, seconded by Representative Ihara and carried, H.B. No. 410, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF CORRECTIONS," passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 902 and 410 had passed Third Reading at 12:28 o'clock p.m.

At 12:28 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.

ANNOUNCEMENTS

Representative Hagino: "There will be a Judiciary hearing this afternoon at 1:30 in Room 328. Decision-making to follow if time permits."

Representative Lee: "Your Committee on Education will hold a meeting at 7:00 p.m. this evening in Room 310 for decision-making."

Representative Hayes: "The Housing Committee will meet jointly with the Consumer Protection Committee tomorrow morning at 8:30 in Room 310 for decision-making."

Representative Fukunaga: "Your Committee on Finance will be holding a public hearing this afternoon at 1:30 in the Finance Conference Room. Decision-making to follow if time permits."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce will be having a public hearing this evening at 6:30 in Conference Room 328. Decision-making to follow if time permits."

Representative Stegmaier: "There will be a joint public hearing of your Committee on Ocean and Marine Resources and your Committee on Intergovernmental Relations and International Affairs tomorrow morning at 8:30 in Conference Room 314. Decision-making to follow if time permits."

Representative Hirono then rose and requested waiver of the 48-hour notice requirement on House Bill 945, HD 1, which was recommitted, and the Chair "so ordered."

Representative Hirono: "This bill will be heard tomorrow afternoon at 1:30 p.m. in Room 328."

At 12:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Representative Okamura: "There will be a Majority caucus in the Majority Caucus Room tomorrow at 9:00 a.m."

Representative Apo then moved to keep the Journal open until 12:00 o'clock midnight this legislative day and that all Standing Committee Reports received by the Clerk up to that time be adopted and that said bills pass Second Reading and be placed on the calendar for Third Reading.

The motion was seconded by Representative Hemmings.

At 12:34 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving committee reports:

STANDING COMMITTEE REPORTS

The following Standing Committee Reports (Stand. Com. Rep. Nos. 448 to 492) were received in the Chief Clerk's Office up until 12:00 midnight this legislative day, and in accordance with the motion made earlier, all House bills accompanying said Standing Committee Reports passed Second Reading and were placed on the calendar for Third Reading:

Stand. Com. Rep. No. 448 (CPC) was adopted and H.B. No. 161, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 449 (FIN) was adopted and H.B. No. 47, entitled: "A BILL FOR AN ACT

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

Stand. Com. Rep. No. 450 (FIN) was adopted and H.B. No. 1148, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 451 (FIN) was adopted and H.B. No. 417, entitled: "A BILL FOR AN ACT RELATING TO THE ALLOCATION OF INCOME FOR INCOME TAX PURPOSES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 452 (FIN) was adopted and H.B. No. 770, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 453 (FIN) was adopted and H.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR ENERGY CONSERVATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 454 (ECH) was adopted and H.B. No. 763, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INFORMATION NETWORK CORPORATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 455 (ECH) was adopted and H.B. No. 1904, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920 AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 456 (WLD) was adopted and H.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 457 (WLD) was adopted and H.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF REAL PROPERTY; GENERAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 458 (WLD) was adopted and H.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION POLICIES FOR FEDERALLY ASSISTED PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 459 (WLD) was adopted and H.B. No. 723, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 460 (WLD) was adopted and H.B. No. 1291, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO RECREATIONAL AREAS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 461 (WLD) was adopted and H.B. No. 301, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOUNDARIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 462 (JUD) was adopted and H.B. No. 315, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 463 (JUD) was adopted and H.B. No. 335, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIALS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 464 (JUD) was adopted and H.B. No. 336, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 465 (JUD) was adopted and H.B. No. 402, 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. 466 (JUD) was adopted and H.B. No. 553, 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. 467 (JUD) was adopted and H.B. No. 560, 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. 468 (JUD) was adopted and H.B. No. 737, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 469 (JUD) was adopted and H.B. No. 561, 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. 470 (JUD) was adopted and H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEYS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 471 (JUD) was adopted and H.B. No. 151, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS AND FEES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 472 (JUD) was adopted and H.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF COURT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 473 (JUD) was adopted and H.B. No. 183, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE QUALIFICATIONS OF MEMBERS OF THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 474 (JUD) was adopted and H.B. No. 182, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII RULES OF EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 475 (JUD) was adopted and H.B. No. 239, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DATA," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 476 (JUD) was adopted and H.B. No. 332, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 477 (JUD-Majority) was adopted and H.B. No. 339, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 478 (JUD) was adopted and H.B. No. 557, as amended in HD 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. 479 (JUD-Majority) was adopted and H.B. No. 567, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 480 (JUD) was adopted and H.B. No. 566, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 481 (JUD) was adopted and H.B. No. 754, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF FUNDS FOR FUNERAL PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 482 (JUD) was adopted and H.B. No. 660, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 483 (JUD) was adopted and H.B. No. 1844, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 484 (JUD) was adopted and H.B. No. 1871, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 485 (JUD) was adopted and H.B. No. 1823, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION ACT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 486 (JUD) was adopted and H.B. No. 558, as amended in HD 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. 487 (JUD) was adopted and H.B. No. 1698, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 488 (JUD) was adopted and H.B. No. 1695, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 489 (JUD) was adopted and H.B. No. 133, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 490 (JUD) was adopted and H.B. No. 148, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RACING ON HIGHWAYS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 491 (JUD) was adopted and H.B. No. 210, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 492 (JUD) was adopted and H.B. No. 227, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," 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 a.m. tomorrow, Friday, March 3, 1989.

TWENTY-SEVENTH DAY

Friday, March 3, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 10:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Sister Rosarita Aranita of the Office for Social Ministry, after which the Roll was called showing all members present with the exception of Representatives Hagino, Hirayama, Souki and Tajiri, who were excused.

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

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

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

Representative Apo introduced 15 students, members of the District Student Council of the Kauai School District. They were accompanied by their teachers, Allen Yamada, James Kawamura and Janice Nitta.

Representative Leong introduced a group of students from Kahuku High School and the North Shore Home Schoolers. They were accompanied by their teachers and volunteers.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 87 to 92, 95 to 97, and 100 to 103) and concurrent resolutions (H.C.R. Nos. 71 to 82) were disposed of as follows:

H.R. Nos. Referred to:

- 87 Committee on Transportation, then to the Committee on Legislative Management
- 88 Committee on Judiciary, then to the Committee on Legislative Management
- 89 Committee on Intergovernmental Relations and International Affairs
- 90 Committee on Health, then to the Committee on Judiciary
- 91 Committee on Labor and Public Employment
- 92 Committee on Intergovernmental Relations and International Affairs
- 95 Committee on Water and Land Use
- 96 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Legislative Management
- 97 Jointly to the Committees on Water and Land Use and Intergovernmental Relations and International Affairs

100 Committee on Labor and Public Employment, then to the Committee on Legislative Management

101 Committee on Intergovernmental Relations and International Affairs

102 Jointly to the Committees on Ocean and Marine Resources and Transportation

103 Committee on Transportation

H.C.R. Nos.

71 Committee on Transportation, then to the Committee on Legislative Management

72 Committee on Judiciary, then to the Committee on Legislative Management

73 Committee on Health, then to the Committee on Judiciary

74 Committee on Labor and Public Employment

75 Committee on Intergovernmental Relations and International Affairs

76 Committee on Water and Land Use

77 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Legislative Management

78 Committee on Water and Land Use, then to the Committee on Legislative Management

79 Committee on Labor and Public Employment, then to the Committee on Legislative Management

80 Committee on Intergovernmental Relations and International Affairs

81 Jointly to the Committees on Ocean and Marine Resources and Transportation

82 Committee on Transportation

COMMITTEE REASSIGNMENT

H.B. No. 1541 was re-referred to the Committee on Consumer Protection and Commerce.

At 10:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:26 o'clock a.m.

SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Third Reading 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:

H.B. No. 408, HD 1:

By unanimous consent, action was deferred one day.

H.B. No. 172, HD 1:

By unanimous consent, action was deferred one day.

H.B. No. 475, HD 1:

By unanimous consent, action was deferred one day.

H.B. No. 49, HD 1:

By unanimous consent, action was deferred one day.

At 10:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:28 o'clock a.m.

H.B. No. 733:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 733, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 420:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 420, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 416:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 416, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX EXTENSIONS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 733, 420 and 416 had passed Third Reading at 10:30 o'clock a.m.

H.B. No. 462:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 462, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1825:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 1825, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1805:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 1805, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 462, 1825 and 1805 had passed Third Reading at 10:31 o'clock a.m.

H.B. No. 1114:

Representative Kawakami moved that H.B. No. 1114, having been read throughout, pass Third Reading, seconded by Representative Ihara.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, at the risk of being considered a Grinch, I just want to explain my vote here. It's not against the Christmas spirit, or against the feelings and the intention behind the bill, and the introducer of the bill. However, being on human services bracket again this year after a hiatus of a few years, it just seems to me that there are so many organizations that could use some of these funds for assistance throughout the year that perhaps that would be a better use of them, so I will be voting 'no' for that reason.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1114, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHRISTMAS DECORATIONS," having been read throughout, passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Hemmings and Liu voting no, and Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1797:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 1797, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 1114 and 1797 had passed Third Reading at 10:33 o'clock a.m.

At 10:34 o'clock a.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 10:35 o'clock a.m.

H.B. No. 161:

On motion by Representative Hirano, seconded by Representative Hiraki and carried, H.B. No. 161, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 161 had passed Third Reading at 10:36 o'clock a.m.

H.B. No. 47:

Representative Kawakami moved that H.B. No. 47, having been read throughout, pass Third Reading, seconded by Representative Ihara.

Representative Hemmings rose and stated:

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

"Mr. Speaker, this is an extremely inefficient way to provide the taxpayers relief from the tax on food for personal consumption. It is not the best way to spend taxpayers' money--to ask them at the counter to pay four percent and to have it go to the Tax Department. They then have the State turn around and go through all the paper work to refund the money. There is a much more efficient way to provide relief for the taxpayers and that is not to collect the tax in the first place. That is point number one, Mr. Speaker.

"Point number two is and I think that the Majority Party of the Democrats, the alleged party of the working people, should certainly be sensitive to the fact that this tax, as with most other excise taxes, impacts the people at the lower end of income levels the hardest. This is a regressive tax.

"If we really want to provide tax relief, especially tax relief for the working poor and the low income people, we shouldn't collect the money in the first place. This is regressive because it takes the same amount of money from all taxpayers and refunds the same amount. So, a working family of four who spends \$500 a month on food is going to get or be eligible for the same amount of refund as a much wealthier family. This is regressive.

"I always thought that the Democratic Party was a party that worked for the working people. If you really want to help the working people of this State, if you really want to drive down the cost of living in this State, eliminate the tax altogether. Join the Republicans in the elimination of the four percent excise tax on food altogether. This bill is inefficient and it hurts the working people the most. Get rid of the tax. Let's really help them!

"Thank you, Mr. Speaker."

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

"Mr. Speaker, true, it may not be the most efficient form of taxation; however, if we eliminated the tax completely, the State would lose millions of dollars that we collect from this tax from tourists.

"By increasing this tax from the current \$45 to \$60 per exemption, we are actually helping the poor people because the \$60 is far more than what the average person expends in excise taxes on food yearly.

"Thank you."

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, I am going to be consistent. My vote will never kill this bill and it is needed for people. However, I've always voted against this because I thought that four percent should be off of food and medical services.

"Mr. Speaker, the way I read this bill, it says that a person can go down and if they are qualified, they can get an exemption. Yet, if we give a tax rebate, we give it to everybody. Where is the millions of dollars that we're

losing if we give back four percent off of food. And we're helping everybody.

"In this one here, if we're really trying to help the poor person, then we're going to make it as easy for them to get a rebate as we would this tax off of food. They don't qualify for this particular bill that we have in front of us.

"I would hope, Mr. Speaker, that we would get the Department of Taxation to look at the realistic monies that we would be taking out of the coffers and in reality, the people would be spending it back again. We would lose a small portion but, in fact, people are not going to save \$20 or \$30--it will go back into the economy.

"For that reason, Mr. Speaker, I speak against the bill this year, next year, whenever.

"Thank you very much."

The motion was put by the Chair and carried, and H.B. No. 47, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Anderson and Bunda voting no, and Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1148

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 1148, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 47 and 1148 had passed Third Reading at 10:41 o'clock a.m.

H.B. No. 417:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 417, entitled: "A BILL FOR AN ACT RELATING TO THE ALLOCATION OF INCOME FOR INCOME TAX PURPOSES," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 770:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 770, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 417 and 770 had passed Third Reading at 10:42 o'clock a.m.

H.B. No. 1575:

On motion by Representative Kawakami, seconded by Representative Ihara and carried, H.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR ENERGY CONSERVATION," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1904:

On motion by Representative D. Ige, seconded by Representative Bellinger and carried, H.B. No. 1904, entitled: "A BILL FOR AN ACT REALTING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920 AS AMENDED," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 279:

On motion by Representative Isbell, seconded by Representative Kanoho and carried, H.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 1575, 1904 and 279 had passed Third Reading at 10:43 o'clock a.m.

H.B. No. 691:

On motion by Representative Isbell, seconded by Representative Kanoho and carried, H.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF REAL PROPERTY; GENERAL," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 731:

On motion by Representative Isbell, seconded by Representative Kanoho and carried, H.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION POLICIES FOR FEDERALLY ASSISTED PROGRAMS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 315:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 315, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ADMINISTRATION," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 335:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 335, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIALS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 691, 731, 315 and 335 had passed Third Reading at 10:44 o'clock a.m.

H.B. No. 336:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 336, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 402:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO THE

JUVENILE JUSTICE INTERAGENCY BOARD," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 553:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 553, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 560:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 336, 402, 553 and 560 had passed Third Reading at 10:45 o'clock a.m.

H.B. No. 737:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 737, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 561:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 1693:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEYS," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 737, 561 and 1693 had passed Third Reading at 10:46 o'clock a.m.

At 10:46 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:48 o'clock a.m., the following introductions were made to the members of the House:

Representative Metcalf introduced the Waiakea Intermediate School Math Count Team members who placed second in the Hawaii District Math Count Team contest, as follows: Kyle Nakamura, Brian Sakamoto, Chad Urabe, Miya Tsutsumi, Megan Maeda and Patty Takemoto. They were accompanied by their adviser and teacher/coach, Mrs. Etsuko Kurokawa, and Mr. Ronald Kurokawa, chaperone.

Representative Takamine introduced members of the Kalaniana'ole School Math Count Team members "who placed first overall in the Small School Division in the

Math Count competition held on February 4, 1989," as follows: Kevin Murakane, John Curret, John Sadayasu, Susan Sunada and Carrie Mitsuyoshi. They were accompanied by their coach, Mrs. Satsuki Unoki, and chaperone, Mr. Richard Unoki.

H.B. No. 151:

Representative Metcalf moved that H.B. No. 151, having been read throughout, pass Third Reading, seconded by Representative Arakaki.

Representative Bybee rose to speak against the bill, stating:

"Mr. Speaker, the rising costs of litigation are of great concern to the people of Hawaii. These costs are rising at such a rate so as to reduce access to our courts for many of our people.

"In civil cases, the average citizen cannot afford and courts are becoming solely the province of the rich and many large corporations and businesses. In this age of increasing population and increasing laws, it is important that we keep the courts available to the common citizen. One method we do that is to promote and protect the access to the courts by making sure that when people go to the courts, they are treated equally.

"This bill contains the following sentence and basically is the meat of the bill: 'The court shall award to a landowner reasonable attorney's fees, costs and expenses incurred by that landowner in obtaining a judgment.'

"The bill does not treat the litigants in such a dispute equally. It provides that only the plaintiff or the suing party may recover their attorney's fees, costs and expenses if they win. It does not provide that the party or the defendant on the other side of the case, that is the person being sued, may recover their attorney's fees and costs if they win the case.

"This bill especially places large and wealthy landowners in the position that they can pursue litigation against smaller, less wealthy landowners without concern or fear that they may be required to pay the loser's fees, costs and expenses. . . excuse me, if the winners, if the individual being sued wins the case and that individual is a smaller landowner or one who is less wealthy. That person cannot recover their fees, costs and expenses over against the person suing.

"The point is, Mr. Speaker, that we are going to eliminate the courts from the average person and they are going to be the province of the rich. It would give the wealthy landowner the distinct advantage of not having the concern of losing the case and what we are going to have is the courts end up being the province of the rich and wealthy and the powerful, and the small persons, even though their cause may be a good one, even though the case may have been a frivolous one, the landowner who brought the suit has no fear of having to pay the other sides attorney's fees, costs and expenses.

"I would support this bill, Mr. Speaker, if it was mutual and that is, let's treat both litigants as fairly and equally when they go into a case. The winner wins, the loser loses. Let's not have the winner be able to not recover back what the other party would have been able to recover if they would have won. And it needs to be mutual, Mr. Speaker."

Representative Liu rose and stated:

"Mr. Speaker, I rise to speak in favor of the bill with reservations. I am not speaking on behalf of the

Chairman of the Judiciary Committee however. I'll make that clear.

"We did have questions on our side concerning this bill--some of them raised by the previous speaker. But we are confident that the intent behind the measure is not as proffered by the previous speaker and it also indicates, I think, in the language of the bill. It's not necessarily just the plaintiff which might get reimbursed by this because it does indicate that although the court shall award to a landowner reasonable attorney's fees, etc., it talks about, in obtaining a judgment to remedy the violation of any of the rights incidental to the ownership of land, and I don't think that that phrase mandates that we are just looking at beside bringing the action, I think at least there's some area that might need clarification there. There are also some other questions concerning whether or not using the term 'landowner,' we are perhaps extending it also to certain forms of ownership which may be in lease.

"But these are the types of questions which I suspect could be cleared up in Conference Committee and for that reason, I will be voting 'aye' with reservations, but I don't think the measure will, in fact, impede access to courts as mentioned by the previous speaker.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 151, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS AND FEES," having been read throughout, passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Bunda and Bybee voting no, and Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 151 had passed Third Reading at 10:55 o'clock p.m.

H.B. No. 152:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF COURT," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 183:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 183, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE QUALIFICATIONS OF MEMBERS OF THE LEGISLATURE," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 152 and 183 had passed Third Reading at 10:56 o'clock a.m.

H.B. No. 182:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

H.B. No. 239:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 239, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DATA," passed Third Reading by a vote of 47 ayes, with Representatives Hagino, Hirayama, Souki and Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 182 and 239 had passed Third Reading at 10:57 o'clock a.m.

At 10:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:59 o'clock a.m.

ANNOUNCEMENTS

Representative Metcalf: "Your Committee on Judiciary will be having a public hearing this evening at 6:30 p.m. in Conference Room 328. Decision-making to follow time permitting."

Representative Metcalf then requested waiver of the 48-hour notice requirement to hear H.B. 538, relating to child witnesses; H.B. 687, relating to motor vehicles; and to reconsider H.B. 1659, relating to child support; and H.B. 111, HD 1, relating to persons riding in pickup trucks, and the Chair "so ordered."

Representative Fukunaga then rose and requested waiver of the 48-hour hearing notice requirement for further decision-making on House Bill 1016 for the Committee on Legislative Management, and the Chair "so ordered."

Representative Hiraki: "Your Committee on Consumer Protection and Commerce and your Committee on Planning, Energy and Environmental Protection will be having a public hearing this afternoon at 1:30 in Conference Room 328. Decision-making to follow if time permits."

Representative Okamura: "There will be a Majority caucus on Sunday at 1:00 p.m. in Room 328. Also, on your desks tomorrow morning by 10:00 will be a copy of the Order of the Day and most of the Standing Committee Reports. The rest of them will be ready by early evening."

Representative Hemmings: "House Republicans will be caucusing at 3:30 Sunday afternoon to go over all Third Reading bills for Monday."

At this time, Representative Apo moved that the Journal remain open until 12:00 o'clock midnight this legislative day, and that all Standing Committee Reports received by the Clerk up to such time be adopted and that all bills thereto pass Second Reading and be placed on the calendar for Third Reading, except that all bills recommended for passage on Third Reading be deferred until Monday, March 6, 1989, in compliance with the 48-hour waiting period.

The motion was seconded by Representative Hemmings and carried.

At 11:02 o'clock a.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

The following Standing Committee Reports (Stand. Com. Rep. Nos. 493 to 930) were received in the Chief Clerk's Office up until 12:00 o'clock midnight this legislative day, and in accordance with the motion made earlier, all House Bills accompanying said Standing Committee Reports passed Second Reading and were placed on the calendar for Third Reading, except those bills recommended for passage on Third Reading which were deferred until Monday, March 6, 1989:

Stand. Com. Rep. No. 493 (JUD) was adopted and H.B. No. 1869, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 494 (JUD) was adopted and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 495 (JUD) was adopted and H.B. No. 351, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT INJURY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 496 (JUD) was adopted and H.B. No. 181, as amended in HD 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. 497 (AGR) was adopted and H.B. No. 1259, entitled: "A BILL FOR AN ACT RELATING TO EGGS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 498 (AGR) was adopted and H.B. No. 1205, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 499 (AGR) was adopted and H.B. No. 399, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 500 (AGR) was adopted and H.B. No. 398, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 501 (AGR) was adopted and H.B. No. 1198, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OR ERADICATION PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 502 (AGR) was adopted and H.B. No. 693, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 503 (PEP) was adopted and H.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO DECLARATORY ORDERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 504 (PEP) was adopted and H.B. No. 167, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PACKAGING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 505 (PEP) was adopted and H.B. No. 160, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ASSESSMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 506 (PEP) was adopted and H.B. No. 171, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC PACKAGING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 507 (PEP) was adopted and H.B. No. 1907, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 508 (ECH/IIA) was adopted and H.B. No. 1835, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 509 (ECH) was adopted and H.B. No. 849, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VENTURE CAPITAL INVESTMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 510 (ECH) was adopted and H.B. No. 886, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 511 (HLT-Majority) was adopted and H.B. No. 1197, entitled: "A BILL FOR AN ACT RELATING TO THE DIRECTOR OF HEALTH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 512 (HLT) was adopted and H.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 513 (HLT) was adopted and H.B. No. 261, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 514 (FIN) was adopted and H.B. No. 762, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE CARE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 515 (FIN) was adopted and H.B. No. 1179, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITALS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 516 (FIN) was adopted and H.B. No. 1029, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed

Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 517 (HED) was adopted and H.B. No. 811, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM AND MARINE LABORATORY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 518 (HED) was adopted and H.B. No. 741, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF RESIDENCY FOR TUITION PURPOSES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 519 (HED) was adopted and H.B. No. 543, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 520 (HLT) was adopted and H.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATION FOR RUBELLA," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 521 (WLD) was adopted and H.B. No. 1001, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 522 (WLD) was adopted and H.B. No. 518, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL OR VALUABLE TREES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 523 (PEP-Majority) was adopted and H.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO DISTRICTING AND CLASSIFICATION OF LANDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 524 (PEP-Majority) was adopted and H.B. No. 25, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESERVATION OF COASTAL OPEN SPACE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 525 (OMR-Majority) was adopted and H.B. No. 212, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 526 (OMR) was adopted and H.B. No. 1911, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 527 (OMR) was adopted and H.B. No. 1833, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING WITH NETS AND TRAPS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 528 (OMR) was adopted and H.B. No. 1420, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPORT OF AQUARIUM FISH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 529 (OMR) was adopted and H.B. No. 434, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 530 (HSG-Majority) was adopted and H.B. No. 982, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 531 (HSG) was adopted and H.B. No. 1276, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OHANA ZONING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 532 (HSG-Majority) was adopted and H.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO OHANA ZONING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 533 (HSG) was adopted and H.B. No. 1878, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING PROJECTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 534 (HSG) was adopted and H.B. No. 1800, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 535 (HSG) was adopted and H.B. No. 1557, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 536 (HSG) was adopted and H.B. No. 1881, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 537 (JUD) and H.B. No. 1222, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 538 (FIN) and H.B. No. 32, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 539 (FIN) and H.B. No. 626, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING TSUNAMI PREPAREDNESS IN HAWAII," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 540 (FIN) and H.B. No. 1039, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII HOUSING AUTHORITY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 541 (FIN) and H.B. No. 962, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 542 (FIN) and H.B. No. 1194, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 543 (FIN) and H.B. No. 1233, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 544 (FIN) and H.B. No. 1217, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 545 (FIN) and H.B. No. 1231, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CASE MANAGEMENT COORDINATION PROGRAM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 546 (FIN) and H.B. No. 18, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS ON HAWAIIAN HOME LANDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 547 (FIN) and H.B. No. 15, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPUTERS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 548 (FIN) and H.B. No. 62, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 549 (FIN-Majority) and H.B. No. 1348, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 550 (FIN) and H.B. No. 604, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 551 (FIN) and H.B. No. 17, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 552 (FIN) and H.B. No. 1180, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 553 (FIN) and H.B. No. 924, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR STATE AND COUNTY SERVICE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 554 (FIN) and H.B. No. 548, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 555 (FIN) and H.B. No. 460, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOVING IMAGE PRESERVATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 556 (FIN) and H.B. No. 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF DENDROBIUM ORCHIDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 557 (FIN) and H.B. No. 30, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 558 (FIN) and H.B. No. 451, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 559 (FIN) and H.B. No. 73, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE INFORMATION AND COMPLAINT SERVICE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 560 (FIN) and H.B. No. 38, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVITALIZATION OF DOWNTOWN HONOLULU," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 561 (FIN) and H.B. No. 977, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 562 (FIN) and H.B. No. 1156, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A CAPITOL TOUR AND INFORMATION SERVICE PROGRAM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 563 (FIN) and H.B. No. 911, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TREATMENT OF INCARCERATED SEX OFFENDERS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 564 (FIN) and H.B. No. 9, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 565 (FIN) and H.B. No. 1358, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 566 (FIN) and H.B. No. 235, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 567 (FIN) and H.B. No. 1853, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORTAGE CATEGORY CLASSES

FOR PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 568 (FIN) and H.B. No. 257, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NONPOINT SOURCE POLLUTION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 569 (FIN) and H.B. No. 366, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE AND EXPAND THE COMMUNITY GEOTHERMAL TECHNOLOGY PROGRAM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 570 (FIN) and H.B. No. 1547, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII OPEN AMATEUR BASEBALL TOURNAMENT," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 571 (FIN) and H.B. No. 1619, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO YOUTH GANGS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 572 (FIN) and H.B. No. 1378, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 573 (FIN) and H.B. No. 7, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH ON ANTHURIUM BLIGHT," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 574 (FIN) and H.B. No. 28, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 575 (FIN) and H.B. No. 61, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY CRISIS INTERVENTION FOR ELDERLY PERSONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 576 (FIN) and H.B. No. 85, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION TO MAINTAIN CLASS SIZE REDUCTIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 577 (FIN) and H.B. No. 66, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE LONG-TERM CARE OMBUDSMAN PROGRAM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 578 (FIN) and H.B. No. 1356, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 579 (FIN-Majority) and H.B. No. 70, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL

ACTIVITIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 580 (FIN) and H.B. No. 46, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 581 (FIN) and H.B. No. 1196, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 582 (FIN) was adopted and H.B. No. 1899, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 583 (FIN) and H.B. No. 16, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 584 (FIN) and H.B. No. 1144, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 585 (FIN) was adopted and H.B. No. 1686, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 586 (FIN) was adopted and H.B. No. 1804, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 587 (FIN) was adopted and H.B. No. 414, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL GOODS EXCISE TAX CREDIT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 588 (FIN) was adopted and H.B. No. 521, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 589 (FIN) and H.B. No. 12, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 590 (FIN) and H.B. No. 917, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 591 (FIN) and H.B. No. 450, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD PROPERTY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 592 (FIN) and H.B. No. 587, as amended in HD 1, entitled: "A BILL FOR AN ACT

RELATING TO LEGISLATIVE AGENCIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 593 (FIN) and H.B. No. 65, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEDICAL ASSISTANCE FOR LONG-TERM CARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 594 (FIN) and H.B. No. 1806, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS FOR PUBLIC OFFICERS AND EMPLOYEES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 595 (FIN) and H.B. No. 630, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 596 (FIN) and H.B. No. 1793, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RELOCATION OF THE MAIN STATE LIBRARY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 597 (JUD) was adopted and H.B. No. 44, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 598 (JUD) was adopted and H.B. No. 1699, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 599 (JUD) was adopted and H.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING OF AN EDUCATIONAL WORKER," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 600 (JUD) was adopted and H.B. No. 1125, entitled: "A BILL FOR AN ACT RELATING TO COUNSEL FOR INDIGENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 601 (JUD) was adopted and H.B. No. 1868, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 602 (JUD) was adopted and H.B. No. 1703, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 603 (JUD-Majority) was adopted and H.B. No. 1697, entitled: "A BILL FOR AN ACT RELATING TO THE VICTIM-WITNESS ASSISTANCE PROGRAM," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 604 (CPC-Majority) was adopted and H.B. No. 39, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY

TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 605 (CPC) was adopted and H.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 606 (CPC) was adopted and H.B. No. 744, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 607 (CPC) was adopted and H.B. No. 746, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DENTAL LICENSURE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 608 (CPC) was adopted and H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 609 (CPC) was adopted and H.B. No. 1655, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 610 (CPC) was adopted and H.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PHYSICAL THERAPISTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 611 (CPC) was adopted and H.B. No. 1803, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 612 (CPC) was adopted and H.B. No. 943, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 613 (CPC) was adopted and H.B. No. 653, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 614 (TRN) was adopted and H.B. No. 106, entitled: "A BILL FOR AN ACT RELATING TO CARPOOL LANES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 615 (TRN) was adopted and H.B. No. 435, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 616 (TRN) was adopted and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 617 (TRN) was adopted and H.B. No. 861, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT," passed

Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 618 (TRN) was adopted and H.B. No. 1830, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 619 (TRN) was adopted and H.B. No. 1839, entitled: "A BILL FOR AN ACT RELATING TO GENERAL LYMAN FIELD," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 620 (TRN) was adopted and H.B. No. 1920, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 621 (LAB) was adopted and H.B. No. 132, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 622 (LAB) was adopted and H.B. No. 1072, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE EXEMPTION OF THE STUDENT MEMBER ON THE BOARD OF EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 623 (LAB) was adopted and H.B. No. 1506, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 624 (LAB) was adopted and H.B. No. 1819, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 625 (HSG) was adopted and H.B. No. 1861, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 626 (HLT) was adopted and H.B. No. 720, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 627 (HLT-Majority) was adopted and H.B. No. 1866, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVIEWS BY STATE HEALTH PLANNING AND DEVELOPMENT AGENCY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 628 (JUD) and H.B. No. 574, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 629 (JUD) was adopted and H.B. No. 666, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 630 (JUD) was adopted and H.B. No. 571, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 631 (JUD) was adopted and H.B. No. 405, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 632 (JUD) was adopted and H.B. No. 404, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 633 (JUD) was adopted and H.B. No. 401, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 634 (JUD) was adopted and H.B. No. 112, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DUPLICATE KEYS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 635 (FIN) was adopted and H.B. No. 695, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 636 (FIN) was adopted and H.B. No. 696, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 637 (FIN) was adopted and H.B. No. 697, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 638 (FIN) was adopted and H.B. No. 698, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 639 (FIN) was adopted and H.B. No. 699, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 640 (FIN) was adopted and H.B. No. 700, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 641 (FIN) was adopted and H.B. No. 701, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed

Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 642 (FIN) was adopted and H.B. No. 702, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 643 (FIN) was adopted and H.B. No. 703, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 644 (FIN) was adopted and H.B. No. 704, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 645 (FIN) was adopted and H.B. No. 705, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 646 (FIN) was adopted and H.B. No. 706, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 647 (FIN) was adopted and H.B. No. 707, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 648 (FIN) was adopted and H.B. No. 1796, entitled: "A BILL FOR AN ACT RELATING TO TERMINATION OF CONTRACT BY CONTRACTING AGENCY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 649 (FIN) and H.B. No. 631, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 650 (FIN) and H.B. No. 35, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATION AND PARKS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 651 (FIN) and H.B. No. 1818, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF A PORTION OF THE KAPALAMA MILITARY RESERVATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 652 (FIN) and H.B. No. 694, HD 1, as amended in HD 2, 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 Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 653 (CPC) was adopted and H.B. No. 942, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 654 (CPC) was adopted and H.B. No. 1597, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 655 (CPC) was adopted and H.B. No. 222, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE COLLECTION SERVICING AGENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 656 (CPC) was adopted and H.B. No. 1599, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 657 (HLT) was adopted and H.B. No. 831, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 658 (HLT) was adopted and H.B. No. 719, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUBERCULOSIS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 659 (HLT/JUD) was adopted and H.B. No. 718, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE HANDICAPPED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 660 (HED) was adopted and H.B. No. 1885, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC BROADCASTING AUTHORITY CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 661 (HUS) was adopted and H.B. No. 1903, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 662 (HUS) was adopted and H.B. No. 1843, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM REQUIREMENTS OF THE GENERAL ASSISTANCE PROGRAM," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 663 (HUS) was adopted and H.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 664 (FIN) and H.B. No. 1801, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 665 (FIN) and H.B. No. 1251, as amended in HD 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 666 (FIN) and H.B. No. 1847, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 667 (FIN) and H.B. No. 1438, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 668 (FIN) and H.B. No. 1821, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND BANKING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 669 (FIN) and H.B. No. 1416, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADOLESCENT MENTAL HEALTH," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 670 (FIN) and H.B. No. 69, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 671 (FIN) and H.B. No. 258, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A TRANSITIONAL PLAN FOR HANDICAPPED PERSONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 672 (FIN) and H.B. No. 919, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 673 (FIN) and H.B. No. 1157, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 674 (FIN) and H.B. No. 180, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN ENERGY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 675 (FIN) and H.B. No. 845, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFANTS AND TODDLERS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 676 (FIN) and H.B. No. 1850, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE FOR TREATMENT WORKS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 677 (FIN) and H.B. No. 976, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 678 (FIN) and H.B. No. 1851, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC

LIBRARY SYSTEM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 679 (FIN) and H.B. No. 34, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 680 (FIN) and H.B. No. 298, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 681 (FIN) and H.B. No. 913, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 682 (FIN) and H.B. No. 1858, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 683 (FIN) and H.B. No. 1113, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAX," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 684 (FIN) and H.B. No. 1826, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 685 (FIN) was adopted and H.B. No. 164, as amended in HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING A GRANT-IN-AID APPROPRIATION FOR THE REPLACEMENT OF CIVIL PATROL HANGARS AND FACILITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 686 (FIN) was adopted and H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 687 (FIN) was adopted and H.B. No. 818, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 688 (FIN) was adopted and H.B. No. 1845, entitled: "A BILL FOR AN ACT RELATING TO DIVISION OF COMMUNITY HOSPITALS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 689 (FIN) was adopted and H.B. No. 1917, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 690 (FIN) was adopted and H.B. No. 1915, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF CERTAIN INCOME," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 691 (FIN) was adopted and H.B. No. 1822, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF THE HAWAII STATE COORDINATING COUNCIL ON DEAFNESS TO THE DEPARTMENT OF HEALTH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 692 (FIN) was adopted and H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 693 (FIN) was adopted and H.B. No. 224, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 694 (FIN) was adopted and H.B. No. 1778, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF WAIKIKI BEACH," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 695 (FIN) was adopted and H.B. No. 1856, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 696 (FIN) was adopted and H.B. No. 1097, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 697 (FIN) was adopted and H.B. No. 1857, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 698 (FIN) and H.B. No. 1164, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDCARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 699 (FIN) and H.B. No. 1854, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 700 (FIN) and H.B. No. 1490, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 701 (FIN) and H.B. No. 360, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 702 (FIN) and H.B. No. 1701, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 703 (FIN) and H.B. No. 1905, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920 AS AMENDED," were placed

on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 704 (FIN) and H.B. No. 1860, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 705 (FIN) and H.B. No. 64, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 706 (FIN-Majority) and H.B. No. 1831, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 707 (WLD) was adopted and H.B. No. 295, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL SYSTEM," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 708 (CPC/JUD) was adopted and H.B. No. 188, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SERVICES ORGANIZATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 709 (CPC) was adopted and H.B. No. 219, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 710 (CPC-Majority) was adopted and H.B. No. 215, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 711 (CPC) was adopted and H.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 712 (CPC) was adopted and H.B. No. 1636, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 713 (CPC) was adopted and H.B. No. 1815, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 714 (CPC) was adopted and H.B. No. 1539, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 715 (CPC) was adopted and H.B. No. 1236, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 716 (CPC/JUD) was adopted and H.B. No. 796, entitled: "A BILL FOR AN ACT

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

Stand. Com. Rep. No. 717 (JUD) was adopted and H.B. No. 240, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 718 (JUD) was adopted and H.B. No. 403, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 719 (JUD) was adopted and H.B. No. 812, 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. 720 (JUD) was adopted and H.B. No. 559, as amended in HD 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. 721 (JUD) was adopted and H.B. No. 1716, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERCEPTION OF COMMUNICATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 722 (JUD) was adopted and H.B. No. 979, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 723 (JUD) was adopted and H.B. No. 1133, entitled: "A BILL FOR AN ACT RELATING TO RENTAL AGENCIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 724 (JUD) was adopted and H.B. No. 1188, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 725 (JUD) was adopted and H.B. No. 1215, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 726 (JUD) was adopted and H.B. No. 45, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY CRIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 727 (JUD) was adopted and H.B. No. 1059, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV, SECTION 1, OF THE HAWAII CONSTITUTION, TO ALLOW THE INCLUSION OF PALMYRA ISLAND IN THE BOUNDARIES OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 728 (JUD) was adopted and H.B. No. 225, as amended in HD 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. 729 (HUS) was adopted and H.B. No. 409, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 730 (HUS) was adopted and H.B. No. 751, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 731 (HUS) was adopted and H.B. No. 1895, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-FUNDED MEDICAL ASSISTANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 732 (HUS) and H.B. No. 361, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 733 (HUS) and H.B. No. 362, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 734 (PEP/JUD) was adopted and H.B. No. 1445, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 735 (PEP) was adopted and H.B. No. 1685, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 736 (PEP-Majority) was adopted and H.B. No. 471, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 737 (PEP) was adopted and H.B. No. 1023, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 738 (PEP) was adopted and H.B. No. 1902, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 739 (PEP) was adopted and H.B. No. 1872, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 740 (PEP) was adopted and H.B. No. 1848, entitled: "A BILL FOR AN ACT RELATING TO TOLERANCE FOR PESTICIDES IN

FOOD OR RAW AGRICULTURAL COMMODITIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 741 (PEP) was adopted and H.B. No. 383, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 742 (PEP) was adopted and H.B. No. 724, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 743 (PEP) and H.B. No. 54, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 744 (JUD) and H.B. No. 836, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIV COUNSELING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 745 (JUD) and H.B. No. 821, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 746 (JUD) and H.B. No. 1751, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 747 (LAB) was adopted and H.B. No. 1802, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 748 (LAB) was adopted and H.B. No. 1316, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 749 (LAB) was adopted and H.B. No. 1820, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON EMPLOYMENT AND HUMAN RESOURCES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 750 (LAB) was adopted and H.B. No. 586, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 751 (LAB) was adopted and H.B. No. 1789, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOURS OF WORK," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 752 (LAB) was adopted and H.B. No. 730, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO IN-SERVICE TRAINING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 753 (EDN) was adopted and H.B. No. 481, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS AND ATTENDANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 754 (EDN) was adopted and H.B. No. 145, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 755 (EDN) was adopted and H.B. No. 1813, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 756 (CPC/JUD) was adopted and H.B. No. 1050, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 757 (CPC) was adopted and H.B. No. 1894, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 758 (CPC) was adopted and H.B. No. 185, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 759 (CPC) was adopted and H.B. No. 944, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 760 (CPC) was adopted and H.B. No. 1060, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 761 (CPC) was adopted and H.B. No. 1534, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE BOARD," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 762 (CPC) was adopted and H.B. No. 41, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 763 (CPC) was adopted and H.B. No. 223, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 764 (CPC) was adopted and H.B. No. 1795, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN BANKS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 765 (CPC) was adopted and H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 766 (CPC) was adopted and H.B. No. 1535, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 767 (CPC) was adopted and H.B. No. 1463, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 768 (CPC) was adopted and H.B. No. 941, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 769 (CPC) was adopted and H.B. No. 1887, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 770 (CPC) was adopted and H.B. No. 379, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 771 (CPC) was adopted and H.B. No. 585, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 772 (CPC) was adopted and H.B. No. 1464, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 773 (CPC) was adopted and H.B. No. 1817, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 774 (CPC/JUD) was adopted and H.B. No. 1541, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 775 (CPC) was adopted and H.B. No. 1537, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 776 (CPC) was adopted and H.B. No. 742, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 777 (CPC) was adopted and H.B. No. 1467, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 778 (CPC) was adopted and H.B. No. 1883, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE

CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 779 (CPC) was adopted and H.B. No. 748, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 780 (CPC) was adopted and H.B. No. 1816, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 781 (CPC) was adopted and H.B. No. 221, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 782 (CPC) was adopted and H.B. No. 648, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 783 (CPC) was adopted and H.B. No. 1891, entitled: "A BILL FOR AN ACT RELATING TO LICENSE EXAMINATION OF REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 784 (CPC) was adopted and H.B. No. 443, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 785 (CPC) was adopted and H.B. No. 1112, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANY POWERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 786 (CPC) was adopted and H.B. No. 1884, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTORCYCLES AND MOTOR SCOOTERS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 787 (CPC) was adopted and H.B. No. 1890, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSE TERMINATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 788 (CPC) was adopted and H.B. No. 596, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 789 (CPC) was adopted and H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS FALSE STATEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 790 (CPC) was adopted and H.B. No. 1633, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 791 (CPC) was adopted and H.B. No. 1889, entitled: "A BILL FOR AN ACT RELATING TO HEARING AIDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 792 (CPC) was adopted and H.B. No. 1660, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 793 (CPC) was adopted and H.B. No. 1814, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 794 (CPC) was adopted and H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 795 (CPC) was adopted and H.B. No. 1516, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 796 (CPC) was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 797 (CPC) was adopted and H.B. No. 1598, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 798 (CPC) was adopted and H.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO BONDING OF MOTOR VEHICLE INDUSTRY LICENSEES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 799 (CPC-Majority) was adopted and H.B. No. 839, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 800 (CPC) was adopted and H.B. No. 1003, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 801 (CPC) was adopted and H.B. No. 1888, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 802 (CPC) was adopted and H.B. No. 1663, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 803 (CPC) was adopted and H.B. No. 935, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM HOTEL OPERATORS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 804 (CPC) was adopted and H.B. No. 1540, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 805 (CPC) was adopted and H.B. No. 1538, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 806 (CPC-Majority) was adopted and H.B. No. 1635, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 807 (CPC) was adopted and H.B. No. 1747, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RISK RETENTION GROUPS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 808 (CPC) was adopted and H.B. No. 1237, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 809 (CPC) was adopted and H.B. No. 1474, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 810 (CPC) was adopted and H.B. No. 1536, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING IMPAIRED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 811 (CPC) was adopted and H.B. No. 1637, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 812 (JUD/CPC) was adopted and H.B. No. 231, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT REFORM," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 813 (CPC/JUD) was adopted and H.B. No. 1333, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 814 (PEP/CPC) was adopted and H.B. No. 673, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRANT OF A FRANCHISE FOR THE ISLAND OF MOLOKAI TO MOLOKAI ELECTRIC COMPANY, LIMITED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 815 (CPC) and H.B. No. 285, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 816 (WLD) was adopted and H.B. No. 1415, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC

LANDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 817 (JUD) and H.B. No. 105, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS DIVISION ADMINISTRATIVE RULES AND PENALTIES THEREFOR," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 818 (JUD) and H.B. No. 142, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 819 (JUD) and H.B. No. 932, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 820 (JUD) and H.B. No. 726, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 821 (JUD) and H.B. No. 1838, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 822 (JUD) and H.B. No. 1362, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 823 (JUD-Majority) was adopted and H.B. No. 920, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO A DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 824 (JUD-Majority) was adopted and H.B. No. 251, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE CONSTITUTION OF THE STATE OF HAWAII TO EXTEND THE REGULAR SESSION OF THE LEGISLATURE FROM SIXTY DAYS TO EIGHTY DAYS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 825 (JUD) was adopted and H.B. No. 254, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 826 (JUD-Majority) was adopted and H.B. No. 232, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 827 (JUD) was adopted and H.B. No. 241, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 828 (JUD) was adopted and H.B. No. 1656, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CUSTODIAL TRUST ACT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 829 (JUD) was adopted and H.B. No. 316, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 830 (JUD) was adopted and H.B. No. 1649, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 831 (JUD) was adopted and H.B. No. 1382, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEER REVIEW," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 832 (JUD) was adopted and H.B. No. 551, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR LITTERING," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 833 (JUD) was adopted and H.B. No. 583, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 834 (JUD) was adopted and H.B. No. 538, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WITNESSES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 835 (JUD) was adopted and H.B. No. 1593, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AWARDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 836 (JUD) was adopted and H.B. No. 447, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 837 (JUD) was adopted and H.B. No. 1680, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DURABLE POWER OF ATTORNEY ACT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 838 (JUD) was adopted and H.B. No. 1711, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 839 (JUD) was adopted and H.B. No. 1476, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 840 (JUD) was adopted and H.B. No. 662, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LAW," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 841 (JUD) was adopted and H.B. No. 658, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WEAPONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 842 (JUD) was adopted and H.B. No. 650, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 843 (JUD) was adopted and H.B. No. 569, as amended in HD 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. 844 (JUD) was adopted and H.B. No. 564, 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. 845 (JUD) was adopted and H.B. No. 536, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 846 (JUD) was adopted and H.B. No. 453, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 847 (JUD) was adopted and H.B. No. 523, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 848 (JUD-Majority) was adopted and H.B. No. 302, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 849 (JUD-Majority) was adopted and H.B. No. 352, as amended in HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 2 AND 3, OF THE HAWAII CONSTITUTION," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 850 (JUD) was adopted and H.B. No. 837, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTALLY DISABLED," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 851 (CPC-Majority) was adopted and H.B. No. 945, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 852 (CPC-Majority) was adopted and H.B. No. 946, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLDS," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 853 (JUD) was adopted and H.B. No. 1870, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 854 (JUD) was adopted and H.B. No. 1709, as amended in HD 1, entitled: "A BILL

FOR AN ACT RELATING TO TESTING OF ALCOHOL AND DRUG CONTENT," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 855 (JUD) was adopted and H.B. No. 1340, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 856 (JUD) was adopted and H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES," passed Second Reading and was placed on the calendar for Third Reading.

Stand. Com. Rep. No. 857 (JUD) and H.B. No. 111, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONS RIDING IN PICKUP TRUCKS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 858 (JUD) and H.B. No. 1756, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR NEW VEHICLES AND OFFICIAL VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 859 (FIN) and H.B. No. 213, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 860 (FIN) and H.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 861 (FIN) and H.B. No. 1195, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISCOVERIES AND INVENTIONS REVOLVING FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 862 (FIN) and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VISITOR INDUSTRY EDUCATIONAL AND TRAINING PROGRAMS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 863 (FIN) and H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 864 (FIN) and H.B. No. 81, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF TOURISM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 865 (FIN) and H.B. No. 1337, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER MONITORING SYSTEMS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 866 (FIN) and H.B. No. 457, entitled: "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 867 (FIN) and H.B. No. 6, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF

PINEAPPLE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 868 (FIN) and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER HOUSING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 869 (FIN) and H.B. No. 1331, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A TASK FORCE FOR HAWAIIAN SERVICES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 870 (FIN) and H.B. No. 1661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 871 (FIN) and H.B. No. 1299, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTERING INTERNATIONAL ACTIVITIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 872 (FIN) and H.B. No. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL AND RELATED SERVICES FOR OLDER ADULTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 873 (FIN) and H.B. No. 474, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 874 (FIN) and H.B. No. 436, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES FOR REIMBURSEMENT OF DENTAL HEALTH SERVICES STATEWIDE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 875 (FIN) and H.B. No. 1717, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 876 (FIN) and H.B. No. 1351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 877 (FIN) and H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIKIKI CONVENTION CENTER AUTHORITY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 878 (FIN) and H.B. No. 1258, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATURE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 879 (FIN) and H.B. No. 1256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 880 (FIN) and H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 881 (FIN) and H.B. No. 937, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REGISTRATION OF CONDOMINIUM ASSOCIATIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 882 (FIN) and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF Land NATURAL RESOURCES: MAKING A SUPPLEMENTARY APPROPRIATION OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1989," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 883 (FIN) and H.B. No. 1837, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 884 (FIN) and H.B. No. 542, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 885 (FIN) and H.B. No. 1842, entitled: "A BILL FOR AN ACT RELATING TO STATE SPECIAL FUNDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 886 (FIN) and H.B. No. 1824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 887 (FIN) and H.B. No. 470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO and ACH EROSION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 888 (FIN) and H.B. No. 1266, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SOLAR TECHNOLOGY TRANSFER," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 889 (FIN) and H.B. No. 1832, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL Land DEVELOPMENT FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 890 (FIN) and H.B. No. 958, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 891 (FIN) and H.B. No. 708, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 892 (FIN) and H.B. No. 1867, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 893 (FIN) and H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 894 (FIN) and H.B. No. 672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

LIBRARIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 895 (FIN) and H.B. No. 1876, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 896 (FIN) and H.B. No. 1862, entitled: "A BILL FOR AN ACT RELATING TO HOUSING FINANCE AND DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 897 (FIN) and H.B. No. 1611, entitled: "A BILL FOR AN ACT AMENDING ACT 142, SESSION LAWS OF HAWAII 1988," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 898 (FIN) and H.B. No. 127, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 899 (FIN) and H.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII AND THE SEA '90 CONFERENCE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 900 (FIN) and H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 901 (FIN) and H.B. No. 1882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 902 (FIN) and H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN GENEALOGY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 903 (FIN) and H.B. No. 1798, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 904 (FIN) and H.B. No. 1906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH INSURANCE PROGRAM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 905 (FIN) and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARIES OF THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 906 (FIN) and H.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 907 (FIN) and H.B. No. 1859, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE AND EXEMPTIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 908 (FIN) and H.B. No. 1544, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR MARITIME ACTIVITIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 909 (FIN) and H.B. No. 1829, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 910 (FIN) and H.B. No. 1812, entitled: "A BILL FOR AN ACT RELATING TO FISCAL CONTROL," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 911 (CPC) and H.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO NURSING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 912 (PEP) and H.B. No. 1827, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF HAZARDOUS MATERIAL, HAZARDOUS WASTE, AND ETIOLOGIC AGENTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 913 (LAB) and H.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 914 (LAB) and H.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN RELATED ACTIVITIES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 915 (JUD) and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE NOISE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 916 (JUD) and H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 917 (JUD) and H.B. No. 1828, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 918 (JUD) and H.B. No. 259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECLARATION OF NATIONAL EMERGENCY," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 919 (JUD) and H.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 920 (JUD) and H.B. No. 20, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NETS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 921 (JUD) and H.B. No. 1413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS SYSTEM," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 922 (JUD) and H.B. No. 124, entitled: "A BILL FOR AN ACT RELATING TO

TRESPASS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 923 (JUD) and H.B. No. 122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 924 (JUD) and H.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF HOSPICE CARE PROGRAMS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 925 (JUD) and H.B. No. 533, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 926 (JUD) and H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 927 (JUD) and H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 928 (JUD) and H.B. No. 118, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 929 (JUD) and H.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," were placed on the calendar for Third Reading on Monday, March 6, 1989.

Stand. Com. Rep. No. 930 (JUD) was adopted and H.B. No. 388, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," 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 11:30 o'clock a.m. on Monday, March 6, 1989.

TWENTY-EIGHTH DAY

Monday, March 6, 1989

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend (Dr.) John Norris of the Episcopal Church, after which the Roll was called showing all members present.

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

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 to 36) were read by the Clerk and were placed on file:

Sen. Com. No. 11, transmitting Senate Bill No. 10, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 12, transmitting Senate Bill No. 13, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BODHI DAY," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 13, transmitting Senate Bill No. 15, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 14, transmitting Senate Bill No. 18, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 15, transmitting Senate Bill No. 19, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 16, transmitting Senate Bill No. 20, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 17, transmitting Senate Bill No. 25, entitled: "A BILL FOR AN ACT RELATING TO URBAN AND REGIONAL DESIGN," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 18, transmitting Senate Bill No. 26, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 19, transmitting Senate Bill No. 29, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 20, transmitting Senate Bill No. 54, SD 1, entitled: "A BILL FOR AN ACT RELATING TO

CORPORATIONS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 21, transmitting Senate Bill No. 99, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 22, transmitting Senate Bill No. 107, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DECLARATION OF NATIONAL EMERGENCY," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 23, transmitting Senate Bill No. 153, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROJECT INSTRUMENTS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 24, transmitting Senate Bill No. 174, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 25, transmitting Senate Bill No. 647, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL EMPLOYMENT," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 26, transmitting Senate Bill No. 652, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 27, transmitting Senate Bill No. 654, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 28, transmitting Senate Bill No. 970, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 29, transmitting Senate Bill No. 976, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOURS OF WORK," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 30, transmitting Senate Bill No. 1005, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 31, transmitting Senate Bill No. 1010, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASE OF UNIFORM LICENSE PLATES," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 32, transmitting Senate Bill No. 1095, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 33, transmitting Senate Bill No. 1382, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL AIR CONDITIONING," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 34, transmitting Senate Bill No. 1430, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING WITH DRIFT GILL NETS," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 35, transmitting Senate Bill No. 1875, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM REQUIREMENTS OF THE GENERAL ASSISTANCE PROGRAM," which passed Third Reading in the Senate on March 3, 1989.

Sen. Com. No. 36, transmitting Senate Bill No. 1977, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE EXEMPTION OF THE STUDENT MEMBER ON THE BOARD OF EDUCATION," which passed Third Reading in the Senate on March 3, 1989.

On motion by Representative Apo, seconded by Representative Hemmings and carried, S.B. Nos. 10, SD 1; 13, SD 1; 15; 18; 19; 20; 25; 26, SD 1; 29, SD 1; 54, SD 1; 99; 107, SD 1; 153, SD 1; 174, SD 1; 647; 652, SD 1; 654, SD 1; 970; 976, SD 1; 1005; 1010, SD 1; 1095, SD 1; 1382, SD 1; 1430, SD 1; 1875, SD 1; and 1977, SD 1, passed First Reading by title and further action was deferred.

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

Representative Yoshimura introduced a group of students in the Job Preparation Language Program. They were accompanied by their teacher, Miss Suzanne Blackburn Shoemaker.

Representative Alcon introduced Erlinda "Lynn" Delacruzham, a columnist with the *Fil-Am Courier*, and Mr. Greg Nicolas, "a prominent Kalihi businessman."

At 11:50 o'clock a.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 12:28 o'clock p.m.

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

H.B. No. 408, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RULES," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 172, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER HOLDING DEVICES," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 475, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 408, 172 and 475 had passed Third Reading at 12:30 o'clock p.m.

H.B. No. 49, HD 1:

Representative Apo moved that H.B. No. 49, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"I think the problem with this bill is not the intent behind it--I think the intent is well-meaning. I think it is justified. The idea of having an emergency and a budget stabilization fund in concept is very nice. However, I think in the drafting of the measure, we have some major, major flaws which potentially for the future, if this should ever become law, allows for great abuse. I think it could allow, under less responsible members than are currently in office here, to work through a fiscal shell game. We see on page 2 of the bill, there is a number of reasons and purposes that the funds may be appropriated from this fund.

"The first is to maintain levels of programs determined to be sensual to the public health, safety and welfare.

"Mr. Speaker, that is such a broad definition of what the moneys from this fund can be used for. I am afraid that it is very possible that things other than for emergencies and budget stabilization could emerge as appropriate appropriations from this fund.

"Secondly, Mr. Speaker, we also find on the third page that although supposedly there are limits to what this fund can be used for, there is also the phrase here that nothing in this section shall preclude the Legislature from authorizing the transfer of any amount from the emergency and budget stabilization fund to the general fund at any time.

"So, Mr. Speaker, on the one hand, we are saying that this fund should be used only in special cases; yet, we allow it for the general public welfare which is a very broad statement and, secondly, we are saying that we can transfer funds at any time out of it into the general fund. It makes me wonder, Mr. Speaker, whether or not, again for future irresponsible potential legislators, that this language could be used to avoid the spending limit. It could be used for purposes that initially may seem innocuous but which later we may come to find out should have really come under close scrutiny from the general fund. Essentially, I think it allows for lack of accountability for us for potentially large amounts of money and I think this is not the time to be looking at a fund which is set up in this way.

"Now, if this bill should survive and if it should come back with more stringent requirements, perhaps I could be in favor at that time, but I feel strongly enough about the problems that I see in the language before us that I feel compelled to vote 'no' and hope that you join me.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 49, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 439 on H.B. No. 4, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 4, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF HAWAII-GROWN COFFEE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 440 on H.B. No. 2, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 441 on H.B. No. 29, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 29, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 442 on H.B. No. 43, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 43, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE DISPUTE RESOLUTION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 537 on H.B. No. 1222, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1222, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 538 on H.B. No. 32, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 32, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 539 on H.B. No. 626, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 626, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING TSUNAMI PREPAREDNESS IN HAWAII," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 540 on H.B. No. 1039, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1039, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, I strongly support improving public housing throughout the State; however, I am deeply concerned that we are not developing creative and innovative programs that inspire and motivate the residents of public housing projects to make their homes a better place where they, too, can be proud of. We need preventive programs that when implemented will not require the State a continuous drain on our general fund revenues.

"In conclusion, let us set our goal of making public housing a place where we all can 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. 1039, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 541 on H.B. No. 962, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 962, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Honda then rose and requested a conflict ruling saying that he is retired and benefits from the pensioners bonus.

The Chair ruled "no conflict."

Representative Alcon then rose and requested a conflict ruling saying that he is retired and benefits from the pensioners bonus.

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. 962, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 542 on H.B. No. 1194, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1194, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 49, 4, 2, 29, 43, 1222, 32, 626, 1039, 962 and 1194 had passed Third Reading at 12:38 o'clock p.m.

Stand. Com. Rep. No. 543 on H.B. No. 1233, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1233, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Horita then requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Horita's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill No. 1233, House Draft 2. This bill will be a boost to the Honolulu Symphony administrators in carrying out the

intent of the legislation regarding the State of Hawaii endowment fund.

"The current situation which the Honolulu Symphony administrators face is providing the operating funds necessary to perform. The State of Hawaii endowment fund fills this need. However, the original legislation requires clarification regarding the conditions for State matching funds.

"This bill includes language which lists the following types of contributions which shall be included in compiling the dollar amount which the State is required to match: (1) cash contributions and their U.S. dollar equivalents; (2) personal and real property; and (3) all portions of pledges payable not later than five full years following the date by which the funds contributed by the State are to be matched. In addition, the bill provides for the reversion of State funds that have not been matched.

"The effect of these language changes to Section 40-88, H.R.S. will be to increase the amount of funds that will be available as principal in the endowment fund, thus increasing the operating funds for the Honolulu Symphony.

"Mr. Speaker, this bill provides long-term benefits to the State of Hawaii. A city the size of Honolulu must maintain a certain level of cultural enrichment, and the Honolulu Symphony is a key contributor to improving the quality of life here.

"I urge all my fellow Representatives to vote in favor of this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1233, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 544 on H.B. No. 1217, HD 3:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1217, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 545 on H.B. No. 1231, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1231, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CASE MANAGEMENT COORDINATION PROGRAM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 546 on H.B. No. 18, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 18, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to appropriate funds to provide the Hawaiian Home Lands Commission with additional revenues for infrastructure improvements of their lands.

"Mr. Speaker, in the past the State issued general obligation bonds to the Hawaiian Homes Lands Commission to provide infrastructure improvements on Hawaiian Home lands. I am deeply concerned that this year we are shifting our position and are giving Hawaiian Home Lands Commission the authority to market revenue bonds while there is sufficient margin in the State's general obligation bond ceiling.

"Mr. Speaker, let's give Hawaiian Home Lands Commission \$50-million in general obligation bonds in order to address the 18,000 individuals on the wait list.

"In conclusion, I vote against this measure in hopes that we will reconsider our position."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 18, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS ON HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Hemmings, M. Ige and Liu voting no.

Stand. Com. Rep. No. 547 on H.B. No. 15, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 15, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPUTERS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 548 on H.B. No. 62, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 62, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Arakaki then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill 62, and I would like to start with a quote from Gabriella Mistral who was a Nobel Prize winner, and I quote: 'We are guilty of many errors and many faults but our worst crime is abandoning the children, neglecting the fountain of life. Many of the things we need can wait; the child cannot. Right now is the time his bones are being formed, his blood is being made, and his senses are being developed. To him, we cannot answer tomorrow. His name is today.'

"Mr. Speaker, when it comes to setting policies and programs for the children of Hawaii, there are two words that I hope would be key guidelines in our deliberations. They are prevention and intervention -- prevention and intervention.

"As your Committee on Human Services hear and discuss the myriads of problems that require our assistance, it is all too clear that we pay the price for the abuse and neglect of our children. Our prisons are overflowing, our welfare costs are increasing, and our health care systems are overburdened.

"Many studies have shown that much of these long-term costs can be avoided by investing in preventive services, or services that can intervene and prevent problems from becoming even more serious. If nothing

else, we should guarantee that all of our children in the State of Hawaii should have access to quality health care which is affordable. The benefits of quality health care provided at the earliest possible age, along with intervention services for those who are at risk, will result in lower long-term cost to the State of Hawaii.

"Thus, I urge my colleagues to support House Bill 62, and also House Bill 845 for the children of Hawaii.

"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. 62, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 549 on H.B. No. 1348, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the majority of the Committee was adopted and H.B. No. 1348, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

Stand. Com. Rep. No. 550 on H.B. No. 604, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 604, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose to speak against the bill, stating:

"Mr. Speaker, this bill is to provide an additional rate of payment for persons receiving medical assistance to institutional providers of medical care. I believe wholeheartedly that institutions deserve this differential. However, I am deeply concerned as to how they go about getting this adjustment -- by changing statutes or grant-in-aid?

"This bill gives the department's director the responsibility of establishing this additional rate. Are we allowing the director to make policy decisions? There is only one body that sets policies in this State and we are all sitting here today.

"Mr. Speaker, we set the rates of reimbursements to non-institutional practitioners as well -- physicians, dentists, psychologists and psychiatrists. They, too, are not getting what their actual costs are. They, too, are providing services to our people, but this bill does not address them.

"This bill, as written, addresses only the institutional providers. Where is the fairness?

"Mr. Speaker, I ask you and my colleagues to grant the \$11-million requested this year, but only this year, and give this policy-making body the responsibility of looking into this very serious and most deserving concern on behalf of all of Hawaii's people.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 604, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed

Third Reading by a vote of 50 ayes to 1 no, with Representative M. Ige voting no.

Stand. Com. Rep. No. 551 on H.B. No. 17, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 17, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 552 on H.B. No. 1180, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1180, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to offer an optional retirement plan for University of Hawaii employees in order to provide for portability of pension benefits thereby enhancing efforts to recruit qualified faculty.

"Mr. Speaker, education of Hawaii's children will determine our role in the Pacific and the international marketplace as we approach the 21st century. Facilities alone do not assure quality education. Educators are the bottom line. They make the difference.

"Attracting the very best educators from early childhood education programs through post secondary education is one challenge that will move Hawaii's educational system from great to excellent.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1180, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Yoshimura voting no.

Stand. Com. Rep. No. 553 on H.B. No. 924, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 924, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR STATE AND COUNTY SERVICE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 554 on H.B. No. 548, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 548, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1233, 1217, 1231, 18, 15, 62, 1348, 604, 17, 1180, 924 and 548 had passed Third 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 12:43 o'clock p.m.

Stand. Com. Rep. No. 555 on H.B. No. 460, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 460, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOVING IMAGE PRESERVATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 556 on H.B. No. 1, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 557 on H.B. No. 30, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 30, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Hashimoto, Horita, Peters, Taniguchi and Yoshimura voting no.

Stand. Com. Rep. No. 558 on H.B. No. 451, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 451, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige rose to speak against the bill, stating:

"Mr. Speaker, it's difficult for me to speak against an issue that you feel very strongly about, and I respect that feeling. But this bill is to develop a master plan to expand West Oahu College from a two-year undergraduate institution to a four-year liberal arts undergraduate institution. Let us be the very best that we can be with what we have.

"Windward Community College has worked hard on its master plan for the past three years. Maui Community College is presently either undergoing or will be undergoing their master plan. Both colleges have patiently waited while Kapiolani Community College was in its final phase of completion.

"Windward's master plan is estimated at \$15-million. Windward Community College is currently a 'diamond-in-the-rough' but it promises to be an educational jewel for all the Windward residents.

"My point is that we have presently identified high priority campuses. These are campuses that have been patiently waiting for funding for years. Will the passage of this bill force these identified campuses to wait an additional decade before receiving funding? Are we focusing our energies and financial resources to improving what we already have, or are we diluting the educational opportunities for our children? Let us always keep in mind that we must provide the best in education for our children.

"The window of opportunity for Hawaii to take its proper place in the Pacific marketplace is upon us. Let us seize this opportunity for now is the time.

"Thank you."

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

"Mr. Speaker, just for the record, I would like to note that you are not the only one in support of that bill, that I didn't want, for purposes of the Journal, for it to appear that it is the Speaker's bill. All Leeward legislators supported this bill.

"I think we also support the remarks made by Representative M. Ige in terms of attention probably needing to be paid to certain segments of the community college system. I think we may want, in the future, to seriously consider perhaps the proposal to separate our community college system with its own Board of Regents, but that is not a matter before us today so I would let my remarks stand at that.

"Thank you."

Representative Kotani rose to speak in favor of House Bill 451, HD 2, stating:

"Mr. Speaker, when West Oahu College began nearly twelve years ago, it was originally envisioned as a four-year college to serve 7,500 students. Unfortunately, since the college was founded, it has always been treated as a stepchild of the University of Hawaii system. It began by offering evening classes in West Oahu high school classrooms. It moved on to Aiea's Newtown Square Office Building in the fall of 1976, and currently, it is forced to share classrooms with Leeward Community College. The college now serves 500 students in the junior and senior classes.

"Recently, however, a study was compiled by the University of Hawaii at the Legislature's request and the study was done by the Social Science Research Institute. And the conclusion of the study was that we really need to have a four-year baccalaureate institution in West Oahu.

"The study noted that West Oahu is experiencing tremendous population growth. Since West Oahu College was established, 50,000 additional residents have moved to the area, and with our plans for the Second City, the Ewa Plain has been affirmed as being a center of continuing urban growth, and the population of the area is expected to rise to at least 268,000 from the current 190,000 by the year 2008.

"The conclusion of the study, in a nutshell, was that we need to establish a four-year undergraduate institution in the area and West Oahu College would fit that bill.

"As for the previous speaker's concerns about the other campuses, President Albert Simone testified before the Finance Committee that the planning process would take into consideration Oahu's higher educational needs in a 'non-competitive, cooperative way' without jeopardizing the University of Hawaii at Manoa or the community colleges.

"Thank you, Mr. Speaker."

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

"I would like to simply state that this bill enjoys support, not only with the Leeward legislators, but also

those in Central Oahu. Indeed, the developer of Mililani has offered land for the college in the future.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, you know very well and the rest of my colleagues know that I am for the community colleges and I will even swear to defend it.

"Mr. Speaker, I think West Oahu has been misplaced all this time. It has moved from one campus to the other. I think it is about time that we find a house for that college so that they can function properly. I would like to suggest, though, Mr. Speaker, that we look at the possibility of a four-year institution but keep in mind that we have the community colleges as feeders to this institution.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 451, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative M. Ige voting no.

Stand. Com. Rep. No. 559 on H.B. No. 73, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 73, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Tam rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, I agree with the purpose of this bill to expand the responsiveness and accountability of state government to the citizens of Hawaii by expanding the complaint resolution system now in place.

"My reservation is that the positions of the office will be politically appointed positions, not civil service positions. This being so, the civil service employees' morale will be low statewide. Low morale brings about low productivity among our State employees. Civil service employees have expressed this concern to me.

"Thank you."

Representative Tom then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Tom's remarks are as follows:

"I offer these comments in support of House Bill No. 73, HD 2, relating to State information and complaint service.

"The purpose of this bill is to expand the responsiveness and accountability of State government to the citizens of Hawaii by expanding the complaint resolution system now in place at the Office of Information.

"With State government growing in leaps and bounds, it is very difficult for the average citizen to know who to approach with a query or complaint. Our current Office of Information, which was established to provide information to the citizens of the State, has been

shouldered with an added responsibility of managing complaints. However, the lack of additional recognition and resources required by such a function has impeded its effectiveness in answering questions or addressing concerns of the general public. Furthermore, although the State has the Ombudsman's Office, many inquiries received by the office are very specific complaints about government misfeasance. Simple complaints and questions which are not necessarily appropriate for the Ombudsman's Office could be managed by this newly formed Office of Information and Complaint.

"I am confident that the newly formed office and the Ombudsman's Office will work closely together to prevent duplication of services and to assure that specific lines of command are created between both agencies for the benefit of all Hawaii's people."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 73, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE INFORMATION AND COMPLAINT SERVICE," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hiraki voting no.

Stand. Com. Rep. No. 560 on H.B. No. 38, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 38, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVITALIZATION OF DOWNTOWN HONOLULU," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Taniguchi voting no.

Stand. Com. Rep. No. 561 on H.B. No. 977, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 977, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 562 on H.B. No. 1156, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1156, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"I would like to support the passage of House Bill 1156, HD 2, because of the fact that this tour and information service, I think, serves a purpose for everybody including the members of the House, and secondly, it takes the duty out of the Vice Speaker's Office.

"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. 1156, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A CAPITOL TOUR AND INFORMATION SERVICE PROGRAM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 563 on H.B. No. 911, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and H.B. No. 911, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TREATMENT OF INCARCERATED SEX OFFENDERS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 564 on H.B. No. 9, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 9, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative D. Ige then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative D. Ige's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. No. 9, HD 2.

"House Bill 9, House Draft 2, creates and appropriates \$10-million to the Hawaii Strategic Fund. With this bill, Mr. Speaker, we challenge the business community to become an equal partner in our efforts to diversify the economy of our State.

"The Hawaii Strategic Fund, an integrated economic development organization, is modeled on initiatives in Massachusetts, California, and Pennsylvania, among other states. We have chosen the best parts of these programs to create a flexible organization that will be responsive to the needs of Hawaii. The principle underlying the program is government working in partnership with private enterprise to improve the environment for economic development.

"The Hawaii Strategic Fund is a quasi-public corporation, with a board of directors the majority of which must be private citizens. The Fund will have six program areas: research and development, seed capital, venture capital, product development, capital access, and financial services. The Fund shall have wide ranging powers to create programs that are responsive to the investment needs of Hawaii. The Fund shall target investments into areas that show promise of creating quality jobs for our people.

"Typical government economic development programs in the past have invested funds directly to support or encourage businesses, either directly through low-interest loans, or indirectly through preferential tax treatment. This results in government agencies becoming bankers of last resort, investing public funds in businesses which could not qualify for loans from regular financial institutions. Since public funds are limited, the impact of such programs is usually limited. And since government agencies are investing in companies spurned by professional investors, it is not surprising that such loans often become grants over time.

"The Hawaii Strategic Fund represents a new approach in which government investment goes wholesale rather than retail. In other words, rather than investing public funds directly in businesses, the corporation uses public funds as incentives to attract private investment organizations from both within the State and out-of-state, thereby increasing the amount available for business start-ups and development. Thus, the Fund uses the relatively small amount of public funds as bait to attract the much larger amounts of money available in the private sector, while tapping the expertise of the private sector in making the investments. The impact of the public money committed to the project is increased many times over.

"Possible seed capital and venture capital programs would offer to invest State money in private capital investment firms if the private fund will match the State's investment, and agree to invest money in Hawaii businesses. This not only attracts investment money into the State, but also attracts the very valuable skills of the venture capital investor.

"I believe that the Hawaii Strategic Fund is the catalyst to create a much needed capital pool in Hawaii, and I urge all of my colleagues to vote in favor. It is the most important measure for economic development this session."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 9, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 565 on H.B. No. 1358, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1358, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 460, 1, 30, 451, 73, 38, 977, 1156, 911, 9 and 1358 had passed Third Reading at 12:55 o'clock p.m.

Stand. Com. Rep. No. 566 on H.B. No. 235, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 235, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 567 on H.B. No. 1853, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1853, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"I hope that it will bring relief to our old, burdened child protective social workers. It also affords us the opportunity to express our concerns for the important role they play in advocating for and protecting the rights and well-being of our children.

"It is my hope, Mr. Speaker, that we will expedite this measure to bring quick relief to our dedicated social workers. So, I ask my colleagues for their support on this measure.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORTAGE CATEGORY CLASSES FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 568 on H.B. No. 257, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 257, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NONPOINT SOURCE POLLUTION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 569 on H.B. No. 366, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 366, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE AND EXPAND THE COMMUNITY GEOTHERMAL TECHNOLOGY PROGRAM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 570 on H.B. No. 1547, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1547, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings then rose to speak against the bill, stating:

"Once again, there's a good intent and I applaud the author of this bill's intent. But there are many other sporting events in Hawaii of greater magnitude, and I think what the sports community needs is more infrastructure--better accommodations in our parks and on our shorelines for sporting events. I think the promoters and individual businesses that manage these events can do an adequate job of promoting their own sports if the infrastructure and support system are available to hold these sports in. I'd much rather see the money being spent on providing that than promoting someone else's business.

"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. 1547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII OPEN AMATEUR BASEBALL TOURNAMENT," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hemmings voting no.

Stand. Com. Rep. No. 571 on H.B. No. 1619, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1619, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Arakaki then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Arakaki's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 1619.

"The Legislature has often been criticized for being reactive and crisis oriented, and indeed, the criticism may be well founded. In House Bill 1619, however, we find a measure that proposes to deal with a problem before it becomes a much more serious one. We have heard that conditions for major gang activity are already present and if nothing is done, incidents of crime and violence by gangs will continue to increase to a point beyond control.

"It is important, therefore, that we learn from the experiences of other large cities and respond by providing both law enforcement and our communities the resources to contain, if not eradicate, the hot spots of gang violence before they become major fires that consume our communities.

"I urge all of my colleagues to support House Bill 1619.

"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. 1619, HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO YOUTH GANGS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 572 on H.B. No. 1378, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 573 on H.B. No. 7, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 7, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH ON ANTHURIUM BLIGHT," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 574 on H.B. No. 28, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 28, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 575 on H.B. No. 61, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 61, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY CRISIS INTERVENTION FOR ELDERLY PERSONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 576 on H.B. No. 85, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 85, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION TO MAINTAIN CLASS SIZE REDUCTIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 235, 1853, 257, 366, 1547, 1619, 1378, 7, 28, 61 and 85 had passed Third Reading at 12:56 o'clock p.m.

Stand. Com. Rep. No. 577 on H.B. No. 66, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 66, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE LONG-TERM CARE OMBUDSMAN PROGRAM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 578 on H.B. No. 1356, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1356, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"I would like to express some reservations on this bill. I notice I am the only one speaking on it. Perhaps it would be wiser not to say anything but I feel very strongly about this bill. We've heard pleas from workers who want an increase in the minimum wage and indeed if they are working at minimum, they certainly are working very hard for very little money.

"We've also heard pleas from small business and it's very hard to ignore pleas from people who say they could not withstand the further increases in the minimum wage.

"A friend of mine who has a bakery in Kaimuki has expressed his viewpoint and it certainly is a valid point. He argues that increasing the minimum wage not only increases the wage to the worker but the fringe benefits that are associated with the size of the payroll; namely, the FICA taxes, the unemployment insurance taxes, the TDI.

"So, in determining my vote on this issue, I was thinking that, certainly, there are some workers who deserve an increase in their wage, and certainly, small business deserves some sort of break that we are able to give them. I've determined that it's really the fringe worker and the fringe business that are affected by this bill and very sharply polarized bill.

"I was thinking it would only be fair if we did couple an increase in the minimum wage with a cut in the overhead that employers must bear.

"I have signed the Committee Report 'with reservations' out of the Labor Committee and out of the Finance Committee, and I thought I had better explain my reservations.

"If it were coupled with a decrease in the unemployment insurance tax and the continuation of the 50 percent rollback that we had in 1988, then I think that would be a big break to employers. I think we should also consider increasing the tip credit which many restaurant workers work under, from 20-cents an hour up to 40-cents an hour, or 40 percent of the wage. That would certainly help employers. We might even consider passing a training wage which is a lower wage than the new minimum wage for a short period in order that employers can train people and thereby employ more people over the long run.

"I am just looking for fairness and I am looking for balance. We have been criticized for having a very poor business climate in Hawaii and I think we should work to improve it. I think if we adopted any of these measures along with an increase in the minimum wage, we'd be taking a big step forward.

"Thank you very much."

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, I have concerns about this bill because when we were in committee, really, the only people that came in that spoke in favor of this was the unions and I don't think that there's anybody that's being represented by the unions that is working for a minimum wage.

"However, what does happen, Mr. Speaker, is if an employer is paying, say \$4.25 or \$4.50, and we're already a half-a-dollar at \$3.85 over the federal, you're now going to say we're going to raise you up to \$4.25 to \$4.50 so those people that are already paying that are going to be raising it. We have already in the fair market the people that used to work for a minimum wage were those that were in fast foods, etc. Because of not being able to get people in the market, they're paying above the minimum already. Your employment is taking care of that. Your fair trade, your needing employees. We're taking people from Molokai and shipping them over to Maui because they need employees on Maui. I don't know what small segment today is making \$3.85, but I do know that as far as even the fast foods, we are now going into the senior citizen market. I say that if we can let the market take care of itself, when and if that time comes that we have to raise the wages, it will be raised.

"I had a person come in and say that he was paying \$9.00 an hour and when we raised the minimum wage the last time, from \$3.35 to \$3.85, his people came in and wanted to know -- are we going to get a raise? He said, 'No, this is the minimum wage, I am paying you nine bucks.' They said in essence then, you are giving them a raise and we're losing. And that's what happens. Everyone wants a piece of the pie and I don't really believe that this bill is going to take care of what we are trying to do.

"The last time we raised it, I also had a friend that was receiving some compensation and welfare. Because we raised it, they fell into another category so they started to lose some of the benefits that they had.

"I think that we should look at what's happening. When the federal raises theirs, I am sure they then adjust other benefits that people could receive in welfare or whatever. And what we're trying to do is say that we want to be ahead of the federal. We're already taking care of the people that's here and I would hope, at this time, that we would not pass this bill or that if it at least goes over, that the Senate would look at it and either kill it or we'd come back to conference and come up with something that's a lot more agreeable to everyone because I don't think that this piece of legislation is what we really want.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, the previous speaker alluded to the fact that we have a lot of fast food workers, and let me just tell you, Mr. Speaker, those are young people who are working nineteen hours a day. And then he also alluded to the fact that we are going into the senior citizen market but then the industry, particularly the fast food industry, do not pay TDI, health insurance and other fringe benefits. And I think for those people who have two or three jobs, particularly in the area of Kalihi, Mr. Speaker, I think we are finally giving them a decent living.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1356, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," having been read throughout, passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Bybee, Cavasso, Hirayama, D. Ige and Stegmaier voting no.

Stand. Com. Rep. No. 579 on H.B. No. 70, HD 3:

Representative Apo moved that the report of the majority of the Committee be adopted and H.B. No. 70, HD 3, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Tam rose and stated:

"Mr. Speaker, I rise again to speak in reference to what I previously said. I wish to speak in favor of this bill, a bill relating to international activities, with reservations.

"I believe the purpose of this bill to establish a State Office of International Affairs is to develop, direct and coordinate international activities of the State.

"My reservations once again is that the positions of this office will be politically appointed positions, not civil service positions. This being so, civil service employees' morale will be low. Low morale once again brings about low productivity among our State employees. Civil service employees have informed me of this.

"Thank you."

Representative Liu rose and stated:

I rise to speak against this bill, Mr. Speaker, in part for the reasons mentioned by the previous speaker. And also, Mr. Speaker, more importantly, for the reason that this area of protocol and developing guidelines for sister-state relationships and the whole area of dealing with the Pacific area and the rest of the world -- I concur with. We have to do these things. We should be doing them now and I just question why the personnel that we currently have in either the Department of Business and Economic Development or the Office of State Planning is not handling these responsibilities right now. We have given the Governor's Office many, many positions in the last few years and it seems to me that there are people there who should be moving in this area and it is beyond me why we need another \$500,000 for the next fiscal year to pay for this.

"Secondly, I would indicate that although we are creating a board, it is clearly advisory and it is subservient to the director, whoever that individual is going to be, and as implied by the previous speaker, that individual's salary would be set at the whim of the Governor.

"For those reasons, Mr. Speaker, I am voting against this bill, and I think it's again well intentioned but in implementation and approach, completely wrong.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, before I address the comments that were just made, I would just like to first state that as Chairman of the newly expanded Committee on Intergovernmental Relations and International Affairs, I want to personally

thank my Vice Chairman Representative Baker, and the members on the IIA, not CIA, but IIA Committee, and to Chairman Souki and his Finance Committee for their commitment--commitment to the creation of a Hawaii Office of International Affairs. You know, this office would develop and implement an international plan to promote international literacy and international activities in this State.

"The bill is the result of a lot of hard work, a lot of hard work by individuals and groups who had the vision that Hawaii could take a major role in bridging the gap between East and West. And they also saw that we had the unique potential to bring people together because of our many resources, our multi-ethnic population, our geographical location, our climate, our scenery, and our people.

"The only ingredient that is missing is the umbrella -- the umbrella agency with that kind of clout to ensure that the coordination of all of Hawaii's international resources and agencies that is the East-West Center, the University, OSP, whatever it may be. That's the very reason we need top-notch people and from an office that would command that kind of integrity to run all of the international affairs for Hawaii. They need to be brought together -- together to march in one positive direction to expand Hawaii's growth in the Pacific and the East, to monitor Hawaii's overall development, to hold agencies accountable. Republicans always talk about accountability. Well, let's have it here because we really need a strong international program for activities and to prevent undue duplication.

"You know, we have already taken initiatives in that direction. The House leadership smartly formed the interim work group under the Pacific Basin under the able leadership and guidance of Representative Taniguchi. And the House passed Act 168 last session. We have the Governor's Congress on Hawaii's international role which met in December and Governor Waihee expressed his deep commitment when he declared, and I quote, 'The expansion of Hawaii's involvement in international activities. . . ' as one of his major goals stated in his first State-of-the-State address and charged Hawaii to 'move to the cutting edge of the Pacific affairs.'

"These are all major reasons, Mr. Speaker and members, why this bill will mark a significant and strong beginning to a very bright and far-reaching future for Hawaii's role in the Pacific, Asia, and the world.

"Thank you, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, there have been a lot of cliches used about this bill -- it's an umbrella, cutting edge. But, Mr. Speaker, the bottom line is, this is a step towards just another empire-building office in the Governor's Office, a step towards building more bureaucracy designed to accomplish a task that many agencies of government are already destined or charged with doing. I thought everything described so far in the glowing rhetoric on this bill has already been the duty of DBED, a multi-million dollar organization that already is draining tremendous resources in the name of business and economic development from the taxpayers who are supporting it. And I also thought that planning was already being done by the separate planning czars in the Governor's Office. So I see this bill as nothing other than duplication and repetition.

"And, Mr. Speaker, the prior speaker was exactly right. Republicans want to hold the system accountable.

We don't want to see new departments and new programs started where other programs have not delivered the goods.

"So, for that reason, Mr. Speaker, I am voting 'no' against this bill."

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

"In brief, I believe Chairman Tom, as the Chairman of the Intergovernmental Relations Committee, has done an admirable job.

"Number two, I think the International Congress which included a lot of business people from the private sector, a lot of people, in fact, from the Roundtable who are, I would assume, Republicans. They, too, spoke of a lot of initiatives and I really believe that this Congress, if anything that will bear fruit from this Congress, that it will be in the State Office of International Affairs.

"I believe the previous speakers who spoke with reservations, against this bill, brought up the subject of HISA which I believe is the international service branch that's in DBED. They have expressed a lot of reservations about continuing what they have, primarily because of the red tape that they face trying to expedite a lot of the international activities that would need expeditious movement and, therefore, this office is placed in the Governor's Office, again to add credence to the principles that we have expressed in the Congress as well as, I think, in the committee, as well as in the interim committee that Representative Taniguchi has chaired during the past interim.

"And, as a last note in reference to the last speaker regarding bureaucracy, I think a better example of that could be expressed with the federal government in its past administrations and, hopefully, with this present administration, it will not be so.

"Thank you."

Representative Alcon rose in support of H.B. No. 70, HD 3, stating:

"The only reason why, Mr. Speaker, I am supporting this is because of the great leadership of Representative Taniguchi and the far-sightedness of Representative Tom."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 70, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL ACTIVITIES," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Cavasso, Hemmings and Liu voting no.

Stand. Com. Rep. No. 580 on H.B. No. 46, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 46, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE IMPROVEMENTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 581 on H.B. No. 1196, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1196, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, yesterday, when we were discussing this bill, I had some doubts about it. I wanted to know whether UH students included all the activities of all the campuses of the University of Hawaii, and because of the fact that the task has been clarified that it includes all the campuses of the University of Hawaii, I am voting in favor of it."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 583 on H.B. No. 16, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 16, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 584 on H.B. No. 1144, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1144, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Say and Taniguchi voting no.

Stand. Com. Rep. No. 589 on H.B. No. 12, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 12, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 590 on H.B. No. 917, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 917, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 591 on H.B. No. 450, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 450, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, this is a bill that instructs the Housing, Finance and Development Corporation to help in preparing an informational leaflet which will explain the leasehold system clearly. I have no doubt that if such a publication had been available in 1967, when the original land reform law was passed, that the number of leasehold apartments would be far less than it is today.

"I would like to urge that if this bill isn't sufficient to cover it, that an additional appropriation be made next

year so that there can be a Japanese language edition of this bill. I think that this would curtail a lot of the inflationary movement in real estate prices.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 450, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD PROPERTY," having been read throughout, passed Third reading by a vote of 51 ayes.

Stand. Com. Rep. No. 592 on H.B. No. 587, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and Hemmings voting no.

Stand. Com. Rep. No. 593 on H.B. No. 65, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 65, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, we've had a situation in our community, our state, and our nation where one of our social programs has inadvertently contributed to impoverishment of elderly married couples and families if they were unfortunate enough to have become permanently ill. We have a situation where we have said that we will help these elderly or the permanently ill only if they have no other assets which means they have to give away their home, which means that the spouse cannot receive an income to live on adequately for that's considered part of the sick person's income.

"And this bill before us takes a good action that I am sure we are all in agreement with. It will help to stabilize the families and still continue to help those who are permanently ill but provide that the income for the spouse that's not ill will not be taken away from that person and exhausted completely. It will help us to a certain degree allow them to keep their homes although they are limited as far as I can see is only \$60,000 by the federal government. If they change it, then we will be allowed to raise it further. But for Hawaii, this is especially appropriate because there are few homes that are worth less than \$60,000.

"So, this will help the elderly, the spouse, to keep their home, to keep their self-respect, to protect their marriage, and hold their family together, even as we help them who are struck by lengthy illness. So I thank all for supporting this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 65, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEDICAL ASSISTANCE FOR LONG-TERM CARE," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 66, 1356, 70, 46, 1196, 16, 1144, 12, 917, 450, 587 and 65 had passed Third Reading at 1:21 o'clock p.m.

Stand. Com. Rep. No. 594 on H.B. No. 1806, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS FOR PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 595 on H.B. No. 630, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 630, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Arakaki then rose to speak in favor of the bill, with reservations, stating:

"Those of us who are committed to empowering the disenfranchised of our State, there is a great disappointment that the same-day voter registration provision was removed from House Bill 630. We give a lot of lip service to the right to vote as a cornerstone of the democratic process and yet in 1988, millions of Americans and thousands in the State of Hawaii had the right to vote but did not exercise it.

"And I take a quote from the Reverend Jesse Jackson in a speech he delivered at the National Democratic Convention in Atlanta, Georgia, and I quote: 'The core values and historic traditions of the Democrats require our Party to assume responsibility for revitalizing the democratic process. We must dedicate ourselves to bringing millions of more Americans into the political processes that can change their lives.' And he also made note that we can require people to register births and deaths but we make it so difficult for people to register to vote.

"I support this bill but hope that someday soon, we will enable the people to register and vote on the same day.

"Thank you, Mr. Speaker."

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

"House Bill 630, House Draft 2, consolidates, streamlines, and updates election laws and provides for a fairer, more efficient election process. However, like Representative Arakaki, I would like to express my reservation about the deletion of a provision that we had in the original bill that would have allowed election day registration.

"Presently, only about 54 percent of our voting-age population is registered to vote. Allowing voters to register on election day would encourage many more voters to participate in the democratic process.

"The National Democratic Party has adopted a resolution supporting election day registration. Four states allow election day registration at the present time. The Lieutenant Governor testified that it was both desirable and feasible. Therefore, I hope that at some time in this session, we will return to this issue again.

"Thank you, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, you could say that this bill streamlines the process but I think it could possibly do just the opposite. I am referencing page 2 -- it opens up the

Chief Elections Officer who happens to be the Lieutenant Governor of the State to a wide range of investigative capabilities with no restraint on who, and when, and how that will happen.

"Secondly, on page 5, it says: 'No member shall be a candidate for elected office if they are on the board. . . ' but that does not include the Lieutenant Governor being a candidate for elected office which is an inherent great conflict.

"Mr. Speaker, the bill goes on and on with other provisos and provisions that lead to more power in the Lieutenant Governor's hands--a politician in elected office who controls the computer in the State election process.

"I think this is a huge step in the wrong direction. A more viable alternative is to remove the election process entirely from the Lieutenant Governor's Office and put it in a more non-partisan commission or other agency that will not be so politicized.

"Mr. Speaker, for those reasons, I am speaking against the bill and will be voting 'no' against it."

Representative Marumoto then rose to speak against the bill, stating:

"I share Representative Hemmings' reservations about the concentration of power in the Office of the Lieutenant Governor. It would give him power to issue subpoenas and require the production of records, documents, or other evidence, conduct investigations, conduct hearings, invoke the aid of any circuit court in requiring the attendance and testimony of witnesses or getting other evidence, and perform any other acts as may be necessary to carry out the purposes of this title. A pretty wide range in powers and I would like to see it vested in a bi-partisan commission.

"In addition to those powers, the Chief Election Officer or the clerk of any county may object to the validity of a candidate's nomination papers at any time until the candidate is elected. That's clear up to election day.

"I would like to have a candidate's nomination papers declared in order at the time he places his name in nomination and gets cleared from the Lieutenant Governor. This way, there's a cloud on all candidates clear until election day and the prospect of perhaps of getting your papers questions a few days before the election and having the Lieutenant Governor haul you into a hearing is something I don't think any of us would like to think about.

"In addition, this measure deals with replacing vacancies, and I think that Chapter 11 would control in this bill, but yet there is some confusion as to whether the Lieutenant Governor can call for a special election. For instance, someone from the House resigns; we all know that the Governor does appoint a replacement for us from the same party. But, on the other hand, if the Governor waits for several months, could the elections officer, in this case the Lieutenant Governor, call for a special election? In a recent case, we have seen the Governor take several months in appointing a replacement. I had a bill in which would have required the Governor to appoint in sixty days but as it is now, it is totally open and the Governor has as long as he wants and I am wondering whether the Lieutenant Governor can call for a special election.

"I have a lot of reservations about this measure. I don't think any of us question our present Lieutenant Governor but we have no idea who the future Lieutenant

Governors would be. So I ask you to take a close look at this measure.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Hemmings, Liu and Marumoto voting no.

Stand. Com. Rep. No. 596 on H.B. No. 1793, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1793, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"The Hawaii State Library is scheduled to be expanded and renovated later this year. Many people are concerned that most of the operations of this important educational resource will be closed to the public during the construction period which may last for two years or more.

"Your Committee on Education believes that this would be a wise expenditure of State funds in maintaining the resources for usage now in the downtown library by using a temporary facility within downtown.

"I thank my fellow colleagues on the Education Committee and the Finance Committee for moving this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1793, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RELOCATION OF THE MAIN STATE LIBRARY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 628 on H.B. No. 574, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 574, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 649 on H.B. No. 631, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 631, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 650 on H.B. No. 35, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 35, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATION AND PARKS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 651 on H.B. No. 1818, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1818, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, this bill appropriates \$90-million for the State to acquire Kapalama Military Reservation which is federal land in hopes that the State can develop burgeoning maritime industry.

"For the record, Mr. Speaker, the State Department of Transportation and the State of Hawaii has had very strong control of our harbors for many years right now and the fact of the matter is, except for interisland and international transportation, our harbors remain pretty much in economic doldrums.

"For that reason, I believe there is a positive alternative to having the State acquire this land to develop commercial and maritime industry, and that alternative is to have the private sector buy and those people in those businesses be given a free hand to exercise free enterprise in harbors areas, to develop the industries that we all want. So the question is not what we want, but how we are going to obtain it.

"Second to this is the Governor, much to his credit, his administration has come up with a shoreline redevelopment plan which redevelops our shoreline from Kewalo Basin all the way to Keehi Lagoon. It's a magnificent plan and I think everybody here has had the opportunity to see. It's 95 percent workable and doable. The question is, who is going to do it? The taxpayers of this State do it -- it's going to take years and years and years and cost hundreds and hundreds and hundreds of millions of dollars if not a billion or more.

"The alternative is to turn free enterprise, the workers of Hawaii, and the private sector loose and they can accomplish many of the tasks at great savings to the taxpayers. In fact, better than that, a great benefit.

"For this reason, I am voting 'no' against this bill to send out the signal that there is an alternative to the State being in the development business at the harbors and that is to allow the harbors to redevelop by private sector commercial maritime interest.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I think the previous speaker has mistaken apples for oranges. I don't think there is any plan, even by the private sector, to developing an airport the size of Honolulu Airport. And neither is there any desire on the part of private maritime industry to develop this part of Kapalama Basin.

"This Basin is needed to provide for the future needs of the container transfer and container storage and all the container cargo that comes in and out of Honolulu and the entire islands.

"The point is that we can never assume that what is not needed today in maritime uses will remain the same in the future. A logical revolution has brought about containership and containerization of cargo has meant a diminution of the demand for land. But at the same time, I don't think any of us would have realized only a short ten years ago what cruise ships have become for the

economy of the State of Hawaii. We are now seeing a revitalization of the piers that are used for cruise ships.

"This is a very valid acquisition on the part of the State. No private maritime industry is making a claim on the Kapalama Basin. It is for this reason that I think the State is being foresighted in reserving land that is needed for future uses and also for, perhaps, the transfer of Pier 1 uses for the future development of the Kakaako Peninsula.

"So, this acquisition is part of a master plan. It represents future investment and for this reason, I urge my colleagues to support it."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1818, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF A PORTION OF THE KAPALAMA MILITARY RESERVATION," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 652 on H.B. No. 694, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 694, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 664 on H.B. No. 1801, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1801, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 665 on H.B. No. 1251, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1251, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 666 on H.B. No. 1847, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1847, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Anderson rose to speak against the bill, stating:

"The reason that I would like to speak against this, Mr. Speaker, is that originally the bill allowed care providers to inform unknowing sex partners of an individual with HIV infection about their risk of contacting HIV.

"This was an administration bill. It was a bill that they felt was needed and then they turned around and went against their own bill and had that deleted, and for that reason I was going with the administration so I am going to go against this bill.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1847, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Anderson, Hemmings and Liu voting no.

The Chair directed the Clerk to note that H.B. Nos. 1806, 630, 1793, 574, 631, 35, 1818, 694, 1801, 1251 and 1847 had passed Third Reading at 1:35 o'clock p.m.

Stand. Com. Rep. No. 667 on H.B. No. 1438, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1438, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 668 on H.B. No. 1821, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1821, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to strengthen the State's efforts to preserve resource value lands.

"On page 3 of this bill, the proposal is to delete 'Made accessible to all of the people of the State.' and substitute 'To preserve those land uses and values which are consistent with maintaining a reasonable quality of life for present and future generations.' My feeling is that the spirit and intent of the land bank bill was for the State to acquire lands that can be made accessible 'to all of Hawaii's people' not merely to acquire land to 'maintaining a reasonable quality of life'. These lands should be available to all.

"On page 6, the present law defines the 'development of lands' that are acquired by the Board. This proposal deletes reference to development and its definition and substitutes the wording 'for public purpose.' This language is much too broad.

"Mr. Speaker, the spirit of land banking is for the State to acquire lands that all of our people may appreciate today and in the future. We must focus and prioritize our financial resources for this purpose.

"The amendments to this bill raises serious questions regarding the spirit and intent of what I interpret the present land bank bill to be.

"For this reason, I vote against this bill in hopes that my colleagues will reconsider the proposed amendments to this measure."

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, I really don't know too much about Big Beach on Maui and this bill says that we are going to appropriate some ten million dollars and part of that is a priority purchase of Big Beach on Maui and also Coconut Island on Oahu.

"If I remember a few years back, Mr. Speaker, when we were considering buying Coconut Island, at that particular time the University of Hawaii was not interested in purchasing that. Also, with some research that we did, when Chris Holmes originally owned that island, he did some dredging. They said it was improper and he did not own all of the land; consequently, I believe that's where we have our marine research. However, if I remember correctly, they were paying taxes on the land that they created by dredging. That was part of the problem.

"Also, if you go out to the island, we are going to put ten million dollars in purchasing; yet, the facilities are in dire need of repair. The quarters are shabby and the whole bit is in disarray. We should be putting money into helping the marine research and to help take care of the facilities that we have there rather than purchasing something that has gone up in price from, I believe, eight million dollars to some twenty million dollars.

"So because of this, Mr. Speaker, I do not know the need for this at this particular time, and I would like to ask my colleagues to vote 'no' and I will go no."

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

"Mr. Speaker, I just want the body to know that we were very close to purchasing Coconut Island, and Representative Anderson brings up the marine research done by the University, and it has been tremendous. The research in marine biology and other research there on the island is an extremely unique island in Kaneohe Bay. And I wanted him to know that, yes, precisely because of the kind of notoriety and marine research that we have on Coconut Island, it is important that the State buy the island in order that we can continue such research.

"We may not have as friendly an owner of the island that we had when we had the Pauleys there. That's the problem, and I think that if we are in dire need of this bill in order to offer the State the opportunities like this, to look at what projects it should and should not go into, and I think Coconut Island would be of extreme importance probably to the State, nationally and internationally.

"Thank you, Mr. Speaker."

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

"I would like to echo the comments of Representative Tom and to make a few additional ones.

"One of the things that the land banking bill will allow us to do is to take advantage of some unique opportunities which may present itself to the State. All too often we are accused of not being very far-thinking in many of our objectives. One of the things that trying to focus on a resource like Coconut Island, it is a long-term investment.

"Coconut Island is a unique facility. It is a unique resource and a very large unique recovering natural resource of Kaneohe Bay.

"I think that by initiating vehicles for us to take advantage of special opportunities is in the best long-term interest to the State, regardless of what the currently

existing facility may be in. Even if some of these things are run-down, fine. We can address that later on. But for us to ignore the potential that a land banking bill of this nature provides our State would be an injustice.

"I urge my colleagues to vote in favor of this bill."

Representative Hemmings then rose to speak in favor of the bill, with reservations, stating:

"I think it is important that everybody in this chamber become cognizant of the fact that we did ignore this very issue three years ago and we are three years, not a day late, but three years late and probably twelve to fifteen million dollars late.

"The Senate toured the island in 1987 with the intent of investigating it to be bought for the people of Hawaii. Monday morning, the newspapers hit that the island had been in fact sold to a foreign national and that foreign national had acquired the land from the very person that had taken the Senators on the tour that weekend.

"A resolution was offered in this very chamber to condemn that land and buy it at market value at that time which was about \$8.5-million. But it seems that the good buyer of the property was well represented politically and that nothing was done. The Senators, all of a sudden, became very mute on the issue.

"So, the bottom line is, for whatever reasons we'll never really know the entire story, we're back here now trying to buy the island again. And the papers have reported that the present owner who has had some legal hassels with the federal government is not really interested in selling, but if you really want to buy at his price, it is going to be closer to twenty million dollars or more.

"So it seems the problem here is a problem of our own doing and our own inaction three years ago when we could have acquired this piece of property as it should have been for considerably less money.

"I am voting in favor of the bill because I think Big Beach on Maui, Makena, deserves to be preserved for the people of Hawaii, and I do believe that Coconut Island, as I did in 1987, deserves to be a resource to be enjoyed by future generations.

"My reservations are that we are three years short and many, many millions of dollars late on this issue.

"Thank you, Mr. Speaker."

Representative Anderson, in rebuttal, stated:

"I would like to ask my colleagues and again remind them that when this first came up, there was no denying that we were very, very interested in purchasing. However, at that time, the University themselves were not interested and that's why it went by and we were late. We waited until after there was a person that was signing papers to purchase. That's number one.

"But, number two, we have other facilities that are doing the same thing and if we are going to buy that other island or that island, are they going to give up the other facilities that they had doing the same type of research in other areas, not only on this island, but elsewhere? Are they going to make that facility where it is going to be the best in the whole world for marine research? Or are we, in fact, going to say, this half is for recreational and this half is for marine research.

"I am worried about the taxpayers' dollars and how we are going to spend it. I am interested, like you are, in

land banking and there's other bills in here that I notice will go through that fast that are asking us to look at our land and to make sure we know what we're doing for the people of this State. And I don't think this is going to benefit that particular item. As I said, I don't know that much about Big Beach on Maui, but I do know about this one, and I don't think that this is going to help the people of this State.

"Thank you very much, Mr. Speaker."

Representative Souki then rose and stated:

"Mr. Speaker, I think that talk from Representative Anderson deserves a little rebuttal so I wish to speak in favor of this measure and, perhaps, try to clear a couple of misconceptions.

"One, that the bill states that priority shall be given to the purchase of Big Beach and Coconut Island. It doesn't say that it is mandatory that we purchase. It doesn't preclude the DLNR to look at the item and if it is not feasible for this State, not to purchase. I believe that in the wisdom of the State, as they begin to negotiate for the people of the State of Hawaii, that they will do what's in the best interest and look for a price that is commensurate to the current value of the land.

"Thank you very much, and I hope the members would weight this in mind."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1821, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND BANKING," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and M. Ige voting no.

Stand. Com. Rep. No. 669 on H.B. No. 1416, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1416, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADOLESCENT MENTAL HEALTH," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 670 on H.B. No. 69, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 69, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, if I may quote from the Berman Wiler Report on the early childhood education recommendations: 'The benefits derived from high quality preschool could be very great in Hawaii, more so here than on the mainland. Traditional extended family and support networks are eroding. Multiple wage-earners constitute 62 percent of the families in this State compared with the national average of 54 percent. Hawaii ranks fourth in the nation in its proportion of working women with 59 percent of the labor force currently comprised of females.'

"Now, these statistics reflect the profound shift in family structure and support. Families in Hawaii could traditionally depend on relatives to take care of their school-aged children and it was not uncommon for a child to be raised by relatives to enable the child to attend a better school. Although this net of family support and

obligation has not disappeared, it is less prevalent today and less probable.

"The evidence that preschools can elevate life-long attainment and satisfaction is well documented and it represents savings and investments and reduced welfare costs, reduced public school costs, increased tax revenues, and reduced costs of crime.

"Mr. Speaker, your Committee on Human Services and your Committee on Finance, in House Bill 69, goes beyond the recognition of the need for quality childcare for the children of Hawaii. There is a concomitant need to address the other two issues of the childcare trilemma; that is, affordability and availability.

"Thus, House Bill 69 contains provisions that will provide incentives for our communities and the private sector to increase the supply of childcare programs and make it affordable to all sectors of the community.

"I ask my colleagues to support this measure that will address the needs and concerns of many of Hawaii's families.

"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. 69, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 671 on H.B. No. 258, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 258, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, the purpose of this bill is really twofold.

"First, this bill requires that each handicapped student between ages 15 and 20 be provided with an individualized transitional plan and, second, this bill appropriates funds for the hiring of a transition coordinator, clerical support staff, and thirty transitional specialists to ensure timely, quality implementation of these individualized transitional plans.

"For many handicapped students, Mr. Speaker, who exit the Department of Education, you know, they really have nowhere to go. They waste away at home, idle. In fact, over 50 percent of the handicapped students drop out at age 18.

"What becomes of them? Do we make an investment in educating and training handicapped students only to let them fall through the cracks once they exit the DOE?

"I think not. Yet, this is what is happening and it needs to be addressed.

"Mr. Speaker, the problem is urgent and in adopting this bill, we can ensure that the 3700-plus handicapped students, ages 14 through 20, currently enrolled in the DOE will be productive, contributing citizens.

"You know, finally, Mr. Speaker, being handicapped. . . I went through the public school system and I can certainly empathize with the many adversities and frustrations that handicapped students encounter in their academic and social lives. I never had the luxury of having an individualized transitional plan prepared for

me from age 15 until I exited the DOE. Fortunately, for me, I knew where I was going and what I had to do to get there, but many of my fellow handicapped who are not as fortunate, you know, this bill will allow them then to be contributing members to society. Isn't that what human dignity and the quality of life is all about?

"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. 258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A TRANSITIONAL PLAN FOR HANDICAPPED PERSONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 672 on H.B. No. 919, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 919, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 673 on H.B. No. 1157, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1157, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Horita then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Horita's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill No. 1157, House Draft 2.

"This bill is a positive step towards fostering creative ventures in the arts in the State of Hawaii, and providing a means through which the public may view and appreciate the works of local artists.

"Artistic expression in all forms benefit our State, whether it be dance, music, painting, sculpture, et cetera. It fulfills our cultural desires. It enhances our academic growth. A little recognized benefit is the way art contributes to economic expansion. The existence of developed programs cultivating artistic expression serve to attract educators and businessmen by providing a favorable atmosphere to live in. Appreciating art makes us well-educated and well-rounded individuals.

"This bill will create an artist fellowship program that will provide the necessary financial support for new artists to get a start and encourage established artists to remain in Hawaii thereby reaffirming the importance of culture and the arts to our State. Additionally, this bill will require the Hawaii State Foundation on Culture and the Arts to establish an exhibit program which will serve the dual objectives of being a showcase for artists works and exposing the public to the abundance of art already in the State.

"Mr. Speaker, I believe this bill is important to the welfare of the State of Hawaii in the long-run by promoting the creation of art within the State and making the public aware of our cultural flowering.

"I urge all my fellow Representatives to vote in favor of this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1157, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 674 on H.B. No. 180, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 180, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN ENERGY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 675 on H.B. No. 845, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 845, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFANTS AND TODDLERS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 676 on H.B. No. 1850, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1850, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Recent changes in federal requirements and standards regarding water quality and effluent discharge into our waters make it imperative that we establish the mechanisms to meet these requirements in the future for the State of Hawaii.

"Increased population, especially on Oahu, and growing evidence of the detrimental effect of our wastewater which it has on our environment makes people of Hawaii aware of the need to devote more of our resources to the protection of our beaches and waters. As the tourism industry grows because of our beautiful beaches and waters, their care even becomes an important economic issue.

"In my community of Kailua, there is an outdated wastewater treatment plant that desperately needs upgrading and improvement. The Mayor's recent attempt to secure waivers of the federal and state laws which require these improvements met with overwhelming opposition. This disposal plan is now planned for important improvements and when finished will serve Windward residents from Kailua to Ahuimanu, approximately 100,000 of our people. The cost has been estimated at \$25-million. The city does not have this money, Mr. Speaker, to meet our state and federal standards. This bill and the funds it will appropriate are essential for the health and well-being of the people of Hawaii.

"I strongly urge its adoption and subsequent adequate funding.

"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. 1850, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE FOR TREATMENT

WORKS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 677 on H.B. No. 976, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 976, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1438, 1821, 1416, 69, 258, 919, 1157, 180, 845, 1850 and 976 had passed Third Reading at 1:55 o'clock p.m.

Stand. Com. Rep. No. 678 on H.B. No. 1851, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 679 on H.B. No. 34, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 34, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative O'Kieffe rose to speak in favor of the bill, stating:

"I must confess when I first read the original bill, I thought the word 'ungulates' was a very benign word for something or other and didn't pay any attention to it. Then, during recess, many of my constituents expressed their concerns with the bill. When I returned, I looked up the word in the dictionary and learned that ungulates were hoofed animals--cows, sheep, goats, deers, horses, and most importantly to many local people, pigs.

"Mr. Speaker, I am pleased to say that this last House draft made a change without which our body would, in effect, be prohibiting the century old Hawaiian tradition of pig hunting, or as the language of the bill would have it, ungulate hunting in many areas of our State.

"House Bill 34 had the laudable intent to providing sound management for watersheds. This amended bill now says that towards that end, ungulates must be controlled in those watersheds. The commission is yet to identify as important so in those yet to be designated areas, local people who hunt pigs for subsistence or sport should still retain a valued food source and a cherished activity. This, I wholeheartedly support.

"Mr. Speaker, what any among us deny any of our people access to the only source of meat that they can readily afford. Sad, but true, that is the case for some.

"Would anyone among us wish to categorically deny our people access to their principal source for kalua pig? This is exactly what would have happened if the previous draft had passed and I am glad this one corrected it. We will not be denying families who depend on hunting for food for their tables or their traditional celebrations. We will not be denying parents the opportunity of passing their hunting skills on to their children, and the children the unique opportunity for bonding long associated with this form of activity.

"But, most important, Mr. Speaker, we will not be tampering with an important symbol of native Hawaiians, their culture, and their religion which enrich all of us in this State.

"The first Hawaiians came to these islands with pigs and dogs for food. Lono, the God of agriculture, was one of the four major Gods. When he appeared on land, his earthly body was that of a pig. When he appeared in the water, he was seen as the Humuhumunukunua'pua'a which we have since honored as our State fish. The Big Island was home for Lono and to Pele as well. The pig God climbed to the top of the volcano to woo her but she rejected him as too ugly. He disagreed and brought down thunderstorms upon her and she retaliated and opened up the earth and threw out fire and rocks at him in return. When they decided they had had enough, the pig God retired to the upper water green forest lands of Hamakua and Kohala where he freely roams today. And Pele returned to Puna and Kau where she still lives. A word of caution--when you visit our island, don't take any pork over the Saddle Road.

"For the reasons stated above, Mr. Speaker, I am pleased to support this valuable watershed bill. When H.B. 34, HD 2, crosses over to the Senate, I hope our colleagues would consider my concern and make sure to retain the language of subsection B(a) of section 174C, to control ungulates but not to remove them. At least not the pigs.

"Thank you, Mr. Speaker."

Representative Isbell then rose and requested that her remarks, in favor of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Isbell's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 34, HD 2. This bill is the result of the findings of the Interim Work Group on Forest and Watersheds.

"The 'group' interviewed over 100 individuals who represented a wide diversity of interests in watersheds--landowners, hikers, hunters, botanists, geologists, foresters, National Park employees, environmentalists, county planners, and others. The common concern expressed was the importance of watershed management to ensure a reliable water supply for current use and to meet future growth, plus to help prevent flooding and erosion.

"The Interim Work Group learned that there were few, if any, incentives for the private landowners to dedicate and protect their watersheds. It was also clear that the Water Resource Management Commission was statutorily mandated to manage and protect the State's public and private watersheds but were given no clear direction or funding to accomplish these mandates.

"Therefore, House Bill 34 was developed to create a Water Resource Management Special Fund to be administered by the Commission. It may be used to provide incentives to private landowners, begin the necessary hydrographic studies, inventory important watershed lands, develop educational programs, work with DLNR to improve access for hunters to help control ungulates, provide funds for control of noxious weeds, provide funds for fencing programs, etc.

"We have been aware for many years about the importance of water and watershed management. However, House Bill 34 is the first acknowledgement that this Legislature is willing to make a commitment and give

the necessary funding and clear direction to the Commission to carry out this mandate.

"The passage of the Water Code was a first step--the passage of this bill is a giant step. We have no time to lose. Our population is growing, our water resources are limited, and our watersheds are at risk.

"I encourage my colleagues to support this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 34, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 680 on H.B. No. 298, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 298, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 681 on H.B. No. 913, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 913, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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:

"I speak in favor of House Bill 913, HD 2. The adult residential care home operators provide long-term care services to the people of Hawaii. They provide care to the ill elderly as well as the physically and mentally disabled in a comfortable home environment. They also provide an alternative system of care to institutionalization which is much more costly.

"The report on the adult residential care homes (ARCH) by the Legislative Reference Bureau and the Legislature recognizes the important role the ARCH operators lay in our State's system of care and has recommended appropriate increases in compensation for various levels of care.

"I encourage my colleagues to fully support the well deserved increases that House Bill 913, HD 2, will provide."

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

"Mr. Speaker, we should recognize the important role of the adult residential care home operators in caring for the elderly, mentally handicapped. These people are lonely and helpless. The care home operators open their homes with love, warmth and hospitality as it is traditional to Filipinos.

"Mr. Speaker, it takes a big heart and tremendous commitment to be a care home operator. For these any many more, I ask my colleagues to support this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 913,

HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 682 on H.B. No. 1858, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1858, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to provide additional revenue sources for infrastructure improvements, highways, and parks to the counties through the transfer of the authority to tax liquor and tobacco.

"Mr. Speaker, to put it mildly, this bill is a 'joke'! This bill does not give the counties a source of revenue which holds the promise of growth. On one hand, we transfer the revenue of these taxes to the counties; on the other, we in the Legislature consider measures that curb smoking in public places and increase penalties for drunk driving. Are we hypocrites, giving them a source of revenue and at the same time discouraging its consumption?

"We, in the Legislature, must discuss the feasibility of providing a source of revenue which will grow in direct proportion to the needs of the counties.

"Mr. Speaker, for this reason, I will vote against this measure."

Representative Tom then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Tom's remarks are as follows:

"Mr. Speaker and members of this honorable body, I wish to speak in support of House Bill 1858, HD 2, relating to counties.

"As Chairman of the Committee on Intergovernmental Relations and International Affairs, one of my goals this year was to provide a more consistent and stable means of financing the needs of the counties.

"By allowing the counties to tax liquor and tobacco products in Hawaii, we would increase financing for the counties from the \$18.2-million received annually through grants-in-aid to \$60-million under current taxes. This drastic increase in revenues is needed by the counties for its infrastructure improvements, highways and parks.

"Granted, it is not a perfect mechanism but I believe that the amendments made in the bill concerning how each county is to receive the revenues generated by these taxes and the start-up time in collecting the taxes will alleviate many of the concerns expressed about this bill. These amendments would ease the transfer of taxing powers from the State to the City by giving the counties time to organize administrative details before assuming the responsibilities of collection of these taxes.

"The park transfers are also beneficial to the State and counties to assure a smoother operation of our parks.

This provision would be consistent with State efforts to streamline the functions of the various levels of government.

"Thank you for the opportunity to offer these comments."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1858, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives M. Ige and Say voting no.

Stand. Com. Rep. No. 683 on H.B. No. 1113, HD 2:

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

Stand. Com. Rep. No. 684 on H.B. No. 1826, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1826, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 698 on H.B. No. 1164, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1164, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDCARE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 699 on H.B. No. 1854, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1854, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, I think this is a concern of mine because I believe the Executive Salary Commission has failed to take into account a number of factors.

"One, that there is no legal bind between the salaries of various executive heads and the Governor. The Commission continues to link the two and there is no requirement within the law.

"Secondly, the Commission failed to take into account, I believe, the total compensation package of the Governor. The Governor, as we all know, does get a sizeable allowance for the basics of life -- food, car, home, and these are things that other people in his cabinet, other people in the working community have to pay for out of their base salary.

"Thirdly, the Governor, to his credit, has indicated that he is not seeking an increase for himself at this time. And I think we can respect that.

"And finally, Mr. Speaker, I think the Executive Salary Commission failed to take a look and consider where our Governor's salary would be relative to other governors. At their suggested pay, which is now reflected in this bill--I hope it won't be in its final version--but at the suggested pay level, our Governor would be paid more than the governor of California, more than the governor

of Ohio, more than the governor of Arizona, more than, I believe, somewhere between 40 or 41 of the other states, Mr. Speaker.

"I hope we take these things seriously into consideration because we're not just looking at this administration or whatever the next administration may be here in two, four, six years--we're looking at setting again the philosophical base for all pay increases and I think we should recognize the concept of total compensation packages, not just what is reflected in base pay.

"For that reason, Mr. Speaker, I vote 'no.' I think it sends the wrong message to the community and I hope we take the Governor's words to heart on this measure.

"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. 1854, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 700 on H.B. No. 1490, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1490, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Horita then rose and requested that her remarks, in favor of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Horita's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 1490, House Draft 2. This bill seeks to facilitate the ability of the State of Hawaii and its citizens to become more competitive participants in the Asian-Pacific region in establishing a financial center.

"Comprehending the scope of international business in the Pacific Basin, I envision our State as a financial center active in the rapidly expanding areas of international business, trade, commerce and investment. To achieve this goal, Hawaii must develop trade and investment linkages throughout the Asian-Pacific region as well as the U.S. mainland.

"Our State presents unique opportunities in the financial community as an alternative market with international businesses operating out of here. Hawaii is geographically situated in a different time zone than the great financial centers of New York, Chicago, London, Japan, and Singapore which would enable markets here to remain open after mainland markets have closed and before Asian ones have opened. Furthermore, a financial trading market in Hawaii may be preferable to U.S. enterprises than other Pacific locations.

"This bill will provide favorable income and excise tax treatment for those categories of financial services which would assist the development of Hawaii as a regional financial center. These tax credits are aimed at that segment of out-of-state institutional investors that the State wishes to attract, and would give them an incentive to locate here. This kind of business would provide quality, high-paying jobs. As there are no local providers of the services exempted, and as the income tax

exemption will be phased out in time, the negative effects are minimal.

"Mr. Speaker, the provisions of this bill will help expand and diversify the economy of the State of Hawaii by aiding the establishment of the State as an international financial center and reducing our dependence on the tourist industry.

"I urge all my fellow Representatives to vote in favor of this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1490, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 701 on H.B. No. 360, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 360, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1851, 34, 298, 913, 1858, 1826, 1164, 1854, 1490 and 360 had passed Third Reading at 2:05 o'clock p.m.

Stand. Com. Rep. No. 702 on H.B. No. 1701, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1701, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, I just believe that the responsibilities of coordinating the area of youth services for those youths that need greater direction and assistance should be accomplished today with resources that we have already existing in the various departments that deal with this issue. We can give leadership to one of those departments, or one of those agencies, to handle this issue. We have an Office of Children and Youth that has the so-called umbrella oversight organization. We see them this session being involved in many areas. I think this is another one that they could be involved with. We could choose other parts of the State to be involved here and, as such, I find it much too aggressive in terms of trying to find structural answers when those structures are in place as they are.

"Thank you, Mr. Speaker."

Representative Arakaki, in rebuttal, stated:

"Representative Liu is correct. There are many services available in the community and, in fact, the State offers many of those services for our at-risk youth and our youth who are in trouble.

"The problem we are having today is that these services are placed in several departments throughout our State and through private agencies. And what we are trying to accomplish right here is to have not only an oversight to make these agencies responsible for these youth, but also to have some type of accountability and coordination of services and, hopefully, we can accomplish it with this proposal.

"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. 1701, HD 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 703 on H.B. No. 1905, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920 AS AMENDED," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 704 on H.B. No. 1860, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Say and Taniguchi voting no.

Stand. Com. Rep. No. 705 on H.B. No. 64, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 64, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"House Bill 64 is one of the key senior citizen bills proposed by your Committee on Human Services. The bill is designed to stimulate and encourage development of community-based long-term care for fee services.

"Mr. Speaker, House Bill 64 reflects the approach that your Committee on Human Services used in addressing the long-term care needs of our elders.

"House Bill 64 encourages community-based long-term care services that is home care, day care, day health, which reflects a State policy and public preference for caring for our elderly at home, in the community, rather than in institutions.

"Secondly, House Bill 64 recognizes the need for non-governmental agencies and businesses to play a key role in the providing of long-term care services. We believe that government should encourage private and non-profit long-term care service providers.

"Finally, Mr. Speaker, House Bill 64 encourages, for fee, long-term care services. These are services that the elderly pay for themselves. We believe that this should be encouraged so that in the long run, dependents on free government services can be reduced where possible.

"Thank you, Mr. Speaker."

At 2:10 o'clock p.m., Representative Bunda asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:11 o'clock p.m.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 64, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 706 on H.B. No. 1831, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1831, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Anderson, Cavasso, Hemmings, Liu and O'Kieffe voting no.

Stand. Com. Rep. No. 732 on H.B. No. 361, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 361, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 733 on H.B. No. 362, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 362, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 743 on H.B. No. 54, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 54, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 744 on H.B. No. 836, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 836, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Stegmaier then requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Stegmaier's remarks are as follows:

"Mr. Speaker, I rise to speak against H.B. No. 836, HD 1.

"I am in favor of counseling, but professional counseling re: HIV. This bill leaves the responsibility for counseling in the hands of persons who are not qualified to do counseling.

"Had this bill required those taking blood for HIV testing, to refer counseling to others who are capable of doing it correctly, I would have supported this bill.

"Adequate counseling for HIV concerns should be provided by the State Department of Health, not by those in the private sector who are not qualified to do an adequate job."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 836, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIV COUNSELING," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Stegmaier voting no.

Stand. Com. Rep. No. 745 on H.B. No. 821, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 821, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1701, 1905, 1860, 64, 1831, 361, 362, 54, 836 and 821 had passed Third Reading at 2:12 o'clock p.m.

Stand. Com. Rep. No. 746 on H.B. No. 1751, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1751, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 815 on H.B. No. 285, HD 2:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 285, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Very short comments, Mr. Speaker. This bill amends the condominium laws of Hawaii, addressing the fact that where ohana-zoning applies, the counties should have the decisions whether or not ohana-zoning should be used in a particular land use area.

"The bill is very short and it's very commendable.

"I believe, Mr. Speaker, the counties should be the final determiner or decider as to whether ohana-zoning should be used or not, and I would urge that we keep this thought in mind when we think about our residential ohana-zoning area and expand this also to apply conceptually in the residential areas as well as the agricultural areas.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 285, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 817 on H.B. No. 105, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS DIVISION ADMINISTRATIVE RULES AND PENALTIES THEREFOR," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 818 on H.B. No. 142, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 142, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 819 on H.B. No. 932, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 932, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 820 on H.B. No. 726, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 821 on H.B. No. 1838, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1838, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 822 on H.B. No. 1362, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1362, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bybee voting no.

Stand. Com. Rep. No. 857 on H.B. No. 111, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 111, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONS RIDING IN PICKUP TRUCKS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 858 on H.B. No. 1756, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1756, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR NEW VEHICLES AND OFFICIAL VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 859 on H.B. No. 213, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 213, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak against the bill, stating:

"Briefly and to the point, there is no justification or reason for the State of Hawaii to go into the publishing

business regarding ocean books or any other publications that the private sector can and would provide, probably at a more expeditious and cost effective manner. Books like this are often produced very adequately by the private sector, and I think the taxpayers' money could be better spent in educating our children in the schools through existing resources.

"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. 213, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Anderson, Hemmings and Liu voting no.

The Chair directed the Clerk to note that H.B. Nos. 1751, 285, 105, 142, 932, 726, 1838, 1362, 111, 1756 and 213 had passed Third Reading at 2:15 o'clock p.m.

Stand. Com. Rep. No. 860 on H.B. No. 552:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 861 on H.B. No. 1195, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1195, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISCOVERIES AND INVENTIONS REVOLVING FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 862 on H.B. No. 80, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VISITOR INDUSTRY EDUCATIONAL AND TRAINING PROGRAMS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 863 on H.B. No. 79, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 79, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Cachola then rose and requested that his remarks, in support of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Cachola's remarks are as follows:

"I rise to speak in favor of House Bill 79, House Draft 1.

"Mr. Speaker and fellow Representatives, we expect our State's visitor count to increase 2.5 percent annually, that 11.6 million tourists will visit Hawaii in the year 2010, and that Hawaii's resident population will increase from 1.2 million to 1.4 million by that year.

"As larger numbers of people compete for scarce resources, greater planning is needed to manage these resources and to minimize strain on infrastructure.

"This bill would initiate and fund a study by the Office of State Planning that will be an important component in planning for this growth. The study will determine the carrying capacity of the State in the year 2010, paying close attention to the neighbor islands.

"The study will include: infrastructure demand-utilities, land use, zoning; social issues; economic issues; cultural issues; environmental issues; and safety issues.

"In closing, this bill would provide information absolutely vital to our State's future. I urge all my colleagues to vote in favor of this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

Stand. Com. Rep. No. 864 on H.B. No. 81, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 81, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF TOURISM," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Hemmings, Liu and Yoshimura voting no.

Stand. Com. Rep. No. 865 on H.B. No. 1337:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1337, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER MONITORING SYSTEMS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 866 on H.B. No. 457:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 457, entitled: "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 867 on H.B. No. 6:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 6, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 868 on H.B. No. 1292, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER HOUSING," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 869 on H.B. No. 1331, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and H.B. No. 1331, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A TASK FORCE FOR HAWAIIAN SERVICES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 870 on H.B. No. 1661, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 552, 1195, 80, 79, 81, 1337, 457, 6, 1292, 1331 and 1661 had passed Third Reading at 2:17 o'clock p.m.

Stand. Com. Rep. No. 871 on H.B. No. 1299:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1299, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTERING INTERNATIONAL ACTIVITIES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 872 on H.B. No. 782, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 782, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL AND RELATED SERVICES FOR OLDER ADULTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 873 on H.B. No. 474, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 474, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings then rose to speak against the bill, stating:

"In 1986, we had a Special Session of this Legislature to pass what is sometimes referred to as the Tort Reform Act and, at that time, we appropriated money on a one-time basis to pay the liability insurance for obstetricians on the outside islands because their costs had become so prohibitive that they would rather go out of business than continue to pay their insurance rates. Well, it seems that the Tort Reform Act was actually tort deform because we have subsequently come back and continue to pay those costs.

"I believe that this bill appropriates another large sum of money--not large relative to the budget but certainly large relative to the people who have to individually pay these doctors. To continue to pay these fees for the doctors and there is a viable alternative to this and that is a genuine medical malpractice insurance reform.

"And I think the major point is that the doctors don't pay this money, the insurance companies don't pay this money-- the poor mothers and women who go to these doctors and their families, and consumers, end up paying all of these costs. And the reason we do have high cost of living and high cost of insurance in this State is because we have not adequately addressed the problems with the medical malpractice insurance and, therefore, as a signal, I would personally vote 'no' and I wish this body would

take into consideration the real problem rather than putting a \$300,000 bandaid on this issue again this year.

"Thank you, Mr. Speaker."

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

"This isn't really a bandaid what we're talking about here. What we are trying to address is a serious problem confronting many of our rural practitioners in our rural hospitals. And if we are talking about a bandaid, what will happen is if the State does not provide assistance, then the medical care that is required in those rural areas will not be available.

"I think it is part of our responsibility to ensure that the level of medical care is available, not only in our more metropolitan areas, but also in our more rural areas. And to simply say that because tort reform and medical tort reform in and of itself has not really come to fruition, that's a pretty lousy excuse for us not to aggressively pursue ensuring that those types of medical care opportunities don't exist.

"So, I would urge we support this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 474, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR LIABILITY INSURANCE PREMIUMS," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

Stand. Com. Rep. No. 874 on H.B. No. 436, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 436, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES FOR REIMBURSEMENT OF DENTAL HEALTH SERVICES STATEWIDE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 875 on H.B. No. 1717:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1717, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 876 on H.B. No. 1351, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 877 on H.B. No. 1549, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1549, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu rose and stated:

"Mr. Speaker, I rise to speak with grave reservations but in favor of House Bill 1549, Standing Committee Report 877, relating to the Convention Center Authority.

"My reservations, Mr. Speaker, is that I find the amount appropriated high, especially the fact that we have moneys in here for two fiscal years. I, along with most of us who were here last year, voted in favor of the measure concerning the convention center. Whereas I believe that we should continue planning because we do need a convention center in the State, I am quite concerned by comments made by representatives of the Convention Authority that for some reason, there is a thought that Honolulu can handle two major convention facilities here.

"It disturbs me, Mr. Speaker, it disturbs me greatly. I don't think that's what we intended when we passed the bill last year. I think it is ignoring public sentiment, it is ignoring concerns expressed by many interests, when we embark upon putting ourselves on the line, or when those who work with the State embark upon doing that and committing us to perhaps a role that we had not really established here in this body or the Legislature as a whole.

"I don't think that those who put us here would be very favorable toward an expenditure of \$700,000 after this Legislature should it turn out that perhaps the site mentioned in last year's measure is not ultimately the site upon which a convention center is built.

"So, I would just hope that as this measure works its way through this session, that we take into consideration the total picture and that we be very cognizant of all the interests involved.

"Thank you, Mr. Speaker."

Representative Bellinger rose to speak against the bill, stating:

"Last year, when the issue of the convention center was brought before us, there were only two of us in this House who stood to speak against it. I was one and in order to be consistent, I don't think that we should fund this thing. I don't think the convention center should be at the International Market Place so please cast a 'no' vote for me, and I would encourage my colleagues to vote 'no'."

Representative Hayes rose to speak against the bill, stating:

"Mr. Speaker, I was the second of the minority of two who voted against the convention center at the International Market Place. I, too, feel that the amount appropriated is excessive when the guessing is that that will not be the ultimate site for the convention center.

"Would you please record a 'no' vote for me."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIKIKI CONVENTION CENTER AUTHORITY," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Bellinger and Hayes voting no.

Representative Hemmings rose and stated:

"I rise to speak again on House Bill 474, HD 1.

"Mr. Speaker, I want to change my vote on that. After further consideration, \$300,000 out of a \$3-billion budget does not seem like that great of money to assure that at

least for one more year that the rural areas will get the obstetrician services they deserve.

"I would like to, though, express once again reservations that this does not solve the problem. It's temporary at best and we still should come back to the Legislature and pass responsible legislation that is going to mitigate the medical malpractice insurance problem for every doctor islandwide.

"Thank you, Mr. Speaker."

Stand. Com. Rep. No. 878 on H.B. No. 1258, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1258, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATURE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 879 on H.B. No. 1256, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 880 on H.B. No. 1718:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 881 on H.B. No. 937:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 937, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REGISTRATION OF CONDOMINIUM ASSOCIATIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1299, 782, 474, 436, 1717, 1351, 1549, 1258, 1256, 1718 and 937 had passed Third Reading at 2:25 o'clock p.m.

Stand. Com. Rep. No. 882 on H.B. No. 875:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES: MAKING A SUPPLEMENTARY APPROPRIATION OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1989," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 883 on H.B. No. 1837:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1837, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 884 on H.B. No. 542:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 542, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 885 on H.B. No. 1842:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1842, entitled: "A BILL FOR AN ACT RELATING TO STATE SPECIAL FUNDS," having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Hashimoto, Hemmings and Yoshimura voting no.

Stand. Com. Rep. No. 886 on H.B. No. 1824, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 887 on H.B. No. 470, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH EROSION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 888 on H.B. No. 1266, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1266, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SOLAR TECHNOLOGY TRANSFER," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 889 on H.B. No. 1832:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1832, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND DEVELOPMENT FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 890 on H.B. No. 958, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 958, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Honda 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 Honda's remarks are as follows:

"House Bill 958, HD 1, proposes to assist the sugar industry as it struggles through rough times. It

appropriated \$8.5-million to the existing Agricultural Loan Revolving Fund. If Hilo Coast Processing Company qualifies for a farm loan and the Department of Agriculture's investigation proves that the loan is properly secured against default, funds for the loan will then be available.

"The loan will enable Hilo Coast Processing Company to purchase the electrical generating power plant from its present owners--Banc New England and First Hawaiian Bank. The outright purchase will accomplish two things: (1) there will be a savings of about \$1-million annually in needed lease payments which will result in much cash flow; and (2) would fulfill the existing contract with Hawaii Electric Light Company in providing about 20 percent of Big Island's electrical needs.

"The sugar industry provides about 24,000 jobs statewide and the payroll amounts to about \$128-million a year. The closing of Hilo Coast Processing Company would mean that between 600 to 700 people will become unemployed. Sudden death of an industry would result in economic and human disaster.

"The State should approve and support in keeping our sugar industry operating to keep hundreds of our residents employed. Mass unemployment situation will surely become a tremendous financial drain on the State. Should the industry fold, the State would have to get involved, after the fact, by priority, unemployment compensations and welfare benefits to families.

"Support of this bill is recommended to avoid economic disaster, not only in the Hilo Coast, the Big Island, because the entire State would feel the effect."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 958, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 891 on H.B. No. 708:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 708, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 892 on H.B. No. 1867:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1867, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to authorize the Department of Agriculture to sell real property acquired through its Agricultural Revolving Loan Program; and to include an exception to the definition of public land for the lands described above.

"Mr. Speaker, agriculture must remain a high priority industry as we continue our momentum to diversify our economy.

"House Bill 1867 gives the Department the authority to 'dispose of personal and real property acquired by way of foreclosure.'

"These ag lands should not be released by the Department. Instead, they should be recycled and utilized to its highest and best use -- agriculture.

"Let us take advantage of opportunities that allow the State to acquire ag lands. House Bill 1867 does just the opposite.

"For this reason, I am not supporting this measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1867, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 893 on H.B. No. 1879:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ENTERPRISE ZONES," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 875, 1837, 542, 1842, 1824, 470, 1266, 1832, 958, 708, 1867 and 1879 had passed Third Reading at 2:27 o'clock p.m.

Stand. Com. Rep. No. 894 on H.B. No. 672, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 895 on H.B. No. 1876:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1876, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 896 on H.B. No. 1862:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1862, entitled: "A BILL FOR AN ACT RELATING TO HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 897 on H.B. No. 1611:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1611, entitled: "A BILL FOR AN ACT AMENDING ACT 142, SESSION LAWS OF HAWAII 1988," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

Stand. Com. Rep. No. 898 on H.B. No. 127, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and H.B. No. 127, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hemmings voting no.

Stand. Com. Rep. No. 899 on H.B. No. 856:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII AND THE SEA '90 CONFERENCE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 900 on H.B. No. 1900:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 901 on H.B. No. 1882, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 902 on H.B. No. 1492:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN GENEALOGY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 903 on H.B. No. 1798:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1798, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 904 on H.B. No. 1906, HD 1:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1906, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu then rose to speak against the bill, stating:

"Mr. Speaker, I speak against this program because I feel that these people need services but they do need a program and this bill does not provide a real program. I think comments by subject matter committee chairmen from both houses had hit right on the mark--we do need more information. We need a lot more information before we move forward in this area of providing health insurance program.

"First and foremost, it has to really service the people that it is targeted for. During hearings on this measure, the primary proponent, the Director of Health, failed to really give any explanation, verbally or in writing, as to what kind of service specifically will be offered, and

lacking any statistics as to whether or not people will, in fact, use the insurance that he is proposing. I think there is some general comment—I have the concept, give me the bill and money and don't worry, the details will fall into place. We are talking fourteen or fifteen million dollars. That's a lot of money to find out later that maybe the program didn't work. I think there are other ways that we could perhaps explore in meeting the so-called gap group of 30,000 to 50,000 people.

"We have various health clinics around the State which right now service people who don't have insurance. There is one in the vicinity of my district which services anywhere from 10,000 to 12,000 people of which approximately 8,000 to 9,000 people don't have insurance. Think about that.

"The health clinic today which is serving people who are not insured--8,000 to 9,000 people--using a combination of state and private funding, and they are operating at a lot less than fourteen or fifteen million dollars over two years.

"We haven't really explored this area. We haven't really looked at perhaps beefing up what exists in terms of private sector, quasi-public sector, health service that are right now helping those without insurance. We have a lot of POS contracts but how does that blend in to this insurance program being proposed by the Department of Health? I think it is a cruel hoax on people, Mr. Speaker, if we pass this and then go out and make headlines to say that this bill, or that we have passed something which will help this gap group.

"So, I am pleased that the subject matter committee chairs have been cautious in their approach. I know they intend to come up with something that eventually will work but I feel strongly that, right now, it is so lacking that I would like to send that message and, as such, I will be voting 'no.'

"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. 1906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH INSURANCE PROGRAM," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 905 on H.B. No. 1912:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARIES OF THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 672, 1876, 1862, 1611, 127, 856, 1900, 1882, 1492, 1798, 1906 and 1912 had passed Third Reading at 2:31 o'clock p.m.

Stand. Com. Rep. No. 906 on H.B. No. 692:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 692, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to amend three sections of the Hawaii Revised Statutes to allow the Department of Agriculture to transfer funds among the Agricultural Products Revolving Fund, the Agriculture Loan Revolving Fund, and the Aquaculture Loan Revolving Fund.

"Mr. Speaker, for the record, I am against the Department transferring money between special funds.

"Special funds are created by the Legislature for a specific purpose. Should these funds need additional revenues, the Department should make a formal request to the Legislature prior to its convening.

"For this reason, I do not believe this bill merits passage and will vote against it."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative M. Ige voting no.

Stand. Com. Rep. No. 907 on H.B. No. 1859:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1859, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE AND EXEMPTIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 908 on H.B. No. 1544:

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1544, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Cachola 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 Cachola's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 1544.

"On May 14, 1955, a man sailed the 5,000 miles distance from Honolulu to Manila, navigating by the stars in a frail boat that he had built himself. The man's name was Florentino Das, a Filipino fisherman and shipyard worker from Maile.

"Das undertook the voyage to deliver a boat that his relatives in Samar, Philippines, needed for fishing. He first thought of sending the boat the easier way through freight. But because he had little money, he felt great urge to challenge the treacherous voyage alone in the Pacific and decided to accomplish it.

"With the help of his children, Das built a boat, the **Lady Timarau**, in the family garage. The boat was 24 feet long with 125 square feet of sail.

"During his spare time, Das learned to navigate strictly through books on stars, weather-forecasting, and charts. When he felt he had learned enough, Das drafted a course and presented it to authorities. The authorities laughed. The route was the most perilous, if not, impossible for a boat of the **Timarau's** size.

"Undaunted, Das proceeded with his trip. His answer was, 'If God feels it's my time to die, I will die no matter where I'm at, even if I'm standing on my own front porch.' For his trip, he took only a sextant and a compass for navigation.

"Upon reaching the Philippines, Das was honored by President Magsaysay who made him an honorary commodore in the Philippine armed forces. He was lavished as a dignitary in the Philippines, yet no such honor was given to him in Hawaii. He is a part of the history of Hawaii and the Philippines, and his incredible journey should be acknowledged as such.

"In these times of youth turmoil, as evident in youth gangs, Filipinos and other youths need more role models to instill confidence and belief in their abilities. As a folk hero, Florentino Das's accomplishment could serve as model and learning tool to inspire others that they too can accomplish whatever goals they set for themselves. It is therefore imperative that the **Lady Timarau**, or a replica, be brought to Hawaii as historical relic of this magnificent feat.

"Fellow Representatives, I urge all of you to vote in favor of this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1544, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARITIME ACTIVITIES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 909 on H.B. No. 1829:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1829, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 910 on H.B. No. 1812:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1812, entitled: "A BILL FOR AN ACT RELATING TO FISCAL CONTROL," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 911 on H.B. No. 520:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

Stand. Com. Rep. No. 912 on H.B. No. 1827:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1827, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF HAZARDOUS MATERIAL, HAZARDOUS WASTE, AND ETIOLOGIC AGENTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 913 on H.B. No. 712:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Arakaki, Hemmings and Liu voting no.

Stand. Com. Rep. No. 914 on H.B. No. 33:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN RELATED ACTIVITIES," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Bybee, Hemmings and Marumoto voting no.

Stand. Com. Rep. No. 915 on H.B. No. 304, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE NOISE," having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 692, 1859, 1544, 1829, 1812, 520, 1827, 712, 33 and 304 had passed Third Reading at 2:34 o'clock p.m.

Stand. Com. Rep. No. 916 on H.B. No. 988:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 917 on H.B. No. 1828:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1828, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 918 on H.B. No. 259, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECLARATION OF NATIONAL EMERGENCY," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 919 on H.B. No. 711:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 920 on H.B. No. 20, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and H.B. No. 20, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NETS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 921 on H.B. No. 1413, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS SYSTEM," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 922 on H.B. No. 124:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 124, entitled: "A BILL FOR AN ACT RELATING TO TRESPASS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 923 on H.B. No. 122, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 924 on H.B. No. 716:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF HOSPICE CARE PROGRAMS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 925 on H.B. No. 533:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 533, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCES," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 926 on H.B. No. 725:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 927 on H.B. No. 722:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 988, 1828, 259, 711, 20, 1413, 124, 122, 716, 533, 725 and 722 had passed Third Reading at 2:34 o'clock p.m.

Stand. Com. Rep. No. 928 on H.B. No. 118, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 118, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 929 on H.B. No. 104:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 118 and 104 had passed Third Reading at 2:35 o'clock p.m.

THIRD READING

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

H.B. No. 1810, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1810, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASE OF SERVICE," passed Third Reading by a vote of 51 ayes.

H.B. No. 763, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INFORMATION NETWORK CORPORATION," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Anderson, Hemmings and Liu voting no.

H.B. No. 723, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 723, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1291, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO RECREATIONAL AREAS," passed Third Reading by a vote of 51 ayes.

H.B. No. 301, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOUNDARIES," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1810, 763, 723, 1291 and 301 had passed Third Reading at 2:35 o'clock p.m.

H.B. No. 332, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 332, HD

1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 51 ayes.

H.B. No. 339, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Bybee and Cavasso voting no.

At 2:35 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:36 o'clock p.m.

H.B. No. 557, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

H.B. No. 567, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Cavasso voting no.

H.B. No. 566, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 566, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Third Reading by a vote of 51 ayes.

H.B. No. 754, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF FUNDS FOR FUNERAL PAYMENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 660, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 660, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 332, 339, 557, 567, 566, 754 and 660 had passed Third Reading at 2:37 o'clock p.m.

At 2:38 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 2:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 931)

recommending that H.B. No. 205, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Souki, seconded by Representative D. Ige and carried, the report of the Committee was adopted and H.B. No. 205, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 189, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 932 and H.B. No. 189, HD 2, was deferred, and in accordance with Article 111, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 189, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 646, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 933 and H.B. No. 646, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 646, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

THIRD READING

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

H.B. No. 1844, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1844, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1871, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Third Reading by a vote of 51 ayes.

H.B. No. 1823, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION ACT," passed Third Reading by a vote of 51 ayes.

H.B. No. 558, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 558, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1698, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1698, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

H.B. No. 1695, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

H.B. No. 133, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1844, 1871, 1823, 558, 1698, 1695 and 133 had passed Third Reading at 2:54 o'clock p.m.

H.B. No. 148, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RACING ON HIGHWAYS," passed Third Reading by a vote of 51 ayes.

H.B. No. 210, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 210, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 227, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1869, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Third Reading by a vote of 51 ayes.

H.B. No. 1707:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," passed Third Reading by a vote of 51 ayes.

H.B. No. 351, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT INJURY," passed Third Reading by a vote of 51 ayes.

H.B. No. 181, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1259:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1259, entitled: "A BILL FOR AN ACT RELATING TO EGGS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1205:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1205, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed Third Reading by a vote of 51 ayes.

H.B. No. 399, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," passed Third Reading by a vote of 51 ayes.

H.B. No. 398, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," passed Third Reading by a vote of 51 ayes.

H.B. No. 1198, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1198, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OR ERADICATION PROGRAMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 693, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 693, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Third Reading by a vote of 51 ayes.

H.B. NO. 166:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO DECLARATORY ORDERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 167, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PACKAGING," passed Third Reading by a vote of 51 ayes.

H.B. No. 160, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ASSESSMENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 171, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC PACKAGING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1907, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1907, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Third Reading by a vote of 51 ayes.

H.B. No. 1835:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1835, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 849, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 849, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VENTURE CAPITAL INVESTMENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 886, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 886, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 148, 210, 227, 1869, 1707, 351, 181, 1259, 1205, 399, 398, 1198, 693, 166, 167, 160, 171, 1907, 1835, 849 and 886 had passed Third Reading at 2:55 o'clock p.m.

H.B. No. 1197:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1197, entitled: "A BILL FOR AN ACT RELATING TO THE DIRECTOR OF HEALTH," passed Third Reading by a vote of 50 ayes to 1 no, with Representative M. Ige voting no.

H.B. No. 717:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed Third Reading by a vote of 51 ayes.

H.B. No. 261, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 762, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 762, HD 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR RESPITE CARE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1179, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1179, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITALS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1029, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1029, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bybee voting no.

The Chair directed the Clerk to note that H.B. Nos. 1197, 717, 261, 762, 1179 and 1029 had passed Third Reading at 2:56 o'clock p.m.

H.B. No. 811:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 811, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM AND MARINE LABORATORY," passed Third Reading by a vote of 51 ayes.

H.B. No. 741, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF RESIDENCY FOR TUITION PURPOSES," passed Third Reading by a vote of 51 ayes.

H.B. No. 543, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 543, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS," passed Third Reading by a vote of 51 ayes.

H.B. No. 715:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATION FOR RUBELLA," passed Third Reading by a vote of 51 ayes.

H.B. No. 1001, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1001, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 518, HD 1:

Representative Apo moved that H.B. No. 518, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative M. Ige then rose and requested that his remarks, in favor of the bill with reservations, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Ige's remarks are as follows:

"The purpose of this bill is to amend Section 58-4, Hawaii Revised Statutes, to include 'trees of value to a neighborhood or community' under county protective regulations.

"Trees and greenery are great for Hawaii's environment. I support wholeheartedly measures that protect 'exceptional trees' in public property.

"My concern is, this bill does not take into consideration trees that are special but in private property.

"What happens if a tree of value is designated in my property and its roots are damaging my sewer lines? What happens? Who pays?

"I would like to recommend consideration to amend this bill by adding \$100,000 that would go to each county to help them not only designate exceptional trees wherever they are but give them the financial resources to remedy exceptional situations that may occur on private property.

"With these thoughts in mind, I support this measure in hopes of adding funding in the future."

Representative Bybee then rose to speak against the bill, stating:

"Mr. Speaker, I support the goal and the intent of the bill but the language describing trees and value is too vague, and I would urge that the preparer of the bill to perhaps go back to the drafting board and make it a little clearer and perhaps we can pass that next time.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL OR VALUABLE TREES," having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Alcon, Bybee, Duldulao, Peters and Yoshimura voting no.

The Chair directed the Clerk to note that H.B. Nos. 811, 741, 543, 715, 1001 and 518 had passed Third Reading at 2:59 o'clock p.m.

H.B. No. 27:

Representative Apo moved that H.B. No. 27, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Bybee then rose to speak against the bill, stating:

"Mr. Speaker, I speak against this bill with great reluctance for the reason I support the purpose and goal intended, that is of establishing regulations and a permit process for golf courses on agricultural land.

"The problem with the bill is that it recognizes and reaffirms recently enacted golf course enabling statutes which are not good ones and should be repealed frankly. And also this bill ignores the constitutional mandates regarding agricultural land.

"Testimony opposing the bill was submitted and included several people from my community, various community associations, and the Chamber of Commerce, and also the Chairman of the City Council, and I would just like to read one quote of the City Council Chair's statement against this bill: 'It is the Council's position

that if golf courses are to continue to be allowed on agricultural lands, then the review and approval process should rest with the local legislative body which is held directly accountable.'

"I agree with that statement, Mr. Speaker, and as I say, reluctantly, I would have to vote against this bill."

The motion was put by the Chair and carried, and H.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO DISTRICTING AND CLASSIFICATION OF LANDS," having been read throughout, passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Amaral, Bybee, Horita, D. Ige, Isbell, Peters and Yoshimura voting no.

H.B. No. 25, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESERVATION OF COASTAL OPEN SPACE," passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives Bunda, Cavasso, Chang, Hashimoto, Hirayama, Horita, Kanoho, Marumoto, Peters, Say, Stegmaier and Yoshimura voting no.

H.B. No. 212, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

H.B. No. 1911:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1911, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1833, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING WITH NETS AND TRAPS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1420, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPORT OF AQUARIUM FISH," passed Third Reading by a vote of 51 ayes.

H.B. No. 434, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 27, 25, 212, 1911, 1833, 1420 and 434 had passed Third Reading at 3:02 o'clock p.m.

H.B. No. 982, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 982, HD

1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1276, HD 1:

Representative Apo moved that H.B. No. 1276, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, my reservations are twofold.

"One, on this whole area of ohana zoning, we have to be careful of using State statutes to carve out where and when, et cetera, that the zoning can be allowed as expressed by earlier speakers on other bills. The counties are really best able to decide.

"On this bill, I think the intention is good but I think the drafting may still create a duty on the part of the county to know even on recorded covenants when a second dwelling is or is not permitted regardless of what an applicant who provides a notarized statement says because there is no language within the bill which protects the city or for the county of Kauai, or Maui, from such liability in the event that an applicant lies on their statement. There is still a clear duty on the part of the county not to issue permits in the cases of recorded covenants restricting such second covenants.

"So, I am concerned that if the bill goes through in its present form, it is going to increase litigation and concern on communities in this area and I hope we clean it up between now and the final reading.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1276, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OHANA ZONING," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 1556:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO OHANA ZONING," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Amaral and Bybee voting no.

H.B. No. 1878:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1878, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING PROJECTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1800:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1800, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1557, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1881:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1881, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 982, 1276, 1556, 1878, 1800, 1557 and 1881 had passed Third Reading at 3:04 o'clock p.m.

H.B. No. 1899, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1899, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1686:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1686, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1804, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1804, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 414, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 414, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL GOODS EXCISE TAX CREDIT," passed Third Reading by a vote of 51 ayes.

H.B. No. 521, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 521, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 44, HD 1:

Representative Apo moved that H.B. No. 44, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Cavasso rose to speak against the bill, stating:

"Mr. Speaker, in the bill, the establishment of an ignition interlock system is good and I would say that it would be helpful for our community. However, there is one part of this bill which was an oversight as far as I was concerned in hearing, and that is the deletion of this portion of the bill which says that: 'Any person convicted of violating this section shall be sentenced to a term of imprisonment of at least three consecutive days but not more than \$1,000, and that person's driver's license shall be suspended or revoked for an additional period of one year. The court for good cause may extend imprisonment up to sixty days. The period of suspension or revocation shall commence upon the release of the person from the period of imprisonment imposed pursuant to this section.'

"That quote that I just read has been deleted from the statute which means that this bill, instead of helping to

discourage drunken driving or use of alcohol, will actually weaken the law. And by replacing suspension of driver's license with the insertion of an interlock system, we take responsibility away from the member or the individual driver, and we take away from the courts a key tool they now have to enforce the law against drunk driving which is to take away the driver's license for thirty or sixty days and to impose these fines.

"One of the best actions that is happening in my community now is when a person is convicted of drunken driving that their license is suspended, and I know of at least one case where a personal friend who is not driving today, and his family is taking him around or he has friends taking him around to conduct his business. But the members of his family, the associates with whom he works, and friends like myself, are much more aware of the law against drunk driving and it is serving a good purpose and should not be taken out of the law.

"For these reasons, . . . for the reasons that this bill will actually weaken the law against drunk driving, I am voting against it and I would ask others to do the same.

"Thank you."

Representative Marumoto rose to speak against the bill, stating:

"I would just like to echo the comments of MADD--Mothers Against Drunk Drivers--who have studied this problem of drunk drivers on the road quite extensively and they feel that an ignition interlock system is an untried and unproven measure and that administrative revocation is far superior. This method has withstood court tests in several other jurisdictions in other states and is constitutional.

"For that reason, I would like to vote against House Bill 44.

"Thank you."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, this is new technology that is unproven. As we know in many other technologies, as time goes on the effectiveness and cost of such technology goes down, and I am also afraid that we will be locking into a technology that soon will be obsolete.

"Secondly, I don't understand how this will prevent someone who is intoxicated from driving someone else's car.

"For that reason, I am voting 'no.'

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 44, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Cavasso, Hemmings, Liu and Marumoto voting no.

The Chair directed the Clerk to note that H.B. Nos. 1899, 1686, 1804, 414, 521 and 44 had passed Third Reading at 3:10 o'clock p.m.

At 3:10 o'clock p.m., Representative Metcalf asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:11 o'clock p.m.

H.B. No. 1699, HD 1:

On motion by Representative Metcalf, seconded by Representative Arakaki and carried, H.B. No. 1699, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS," was recommitted to the Committee on Judiciary.

H.B. No. 1135:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING OF AN EDUCATIONAL WORKER," passed Third Reading by a vote of 51 ayes.

H.B. No. 1125:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1125, entitled: "A BILL FOR AN ACT RELATING TO COUNSEL FOR INDIGENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1868, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

H.B. No. 1703, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1703, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1697:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VICTIM-WITNESS ASSISTANCE PROGRAM," passed Third Reading by a vote of 51 ayes.

H.B. No. 39, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Andrews, Bybee, Cavasso and M. Ige voting no.

H.B. No. 747:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1135, 1125, 1868, 1703, 1697, 39 and 747 had passed Third Reading at 3:12 o'clock p.m.

H.B. No. 744, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Andrews and Cachola voting no.

H.B. No. 746:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 746, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DENTAL LICENSURE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1659:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING PUBLIC UTILITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1655, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 749:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PHYSICAL THERAPISTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1803:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1803, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 943:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 943, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATH," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 744, 746, 1659, 1655, 749, 1803 and 943 had passed Third Reading at 3:13 o'clock p.m.

H.B. No. 653:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 653, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 106:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 106, entitled: "A BILL FOR AN ACT RELATING TO CARPOOL LANES," passed Third Reading by a vote of 51 ayes.

H.B. No. 435, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 51 ayes.

H.B. No. 734:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO PERMITS FOR STATE SMALL BOAT HARBORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 861, HD 1:

Representative Apo moved that H.B. No. 861, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Baker then rose and requested that her remarks, in favor of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Baker's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 861, HD 1, relating to thrill craft.

"Mr. Speaker, we have seen the proliferation of thrill craft and parasailing operations in waters not just off West Maui but throughout the State. These activities negatively impact other water activities and threaten the endangered humpback whale, our State mammal, and adversely affect the green sea turtle.

"This Legislature, in recent sessions, has attempted to address this concern by mandating the Department of Transportation to adopt rules regulating thrill craft and parasailing activities. However, such attempts have not gone far enough. This bill clearly directs the Department of Transportation, through their rules, to suspend the operation of thrill craft and parasail boats in waters of the State at times of the year when such activities would adversely impact threatened and endangered marine life. Mr. Speaker, this bill addresses a concern expressed by my constituents, conservation groups and many others.

"I ask my colleagues to join with me in support of House Bill 861, HD 1, and provide protection for our State's most noble winter visitors, the humpback whale.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 1830:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1830, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1839:

Representative Apo moved that H.B. No. 1839, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings rose and stated:

"Mr. Speaker, for the record, I would like to state that possibly the title is oxymoronic."

"Thank you, Mr. Speaker."

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

"We have high hopes."

The motion was put by the Chair and carried, and H.B. No. 1839, entitled: "A BILL FOR AN ACT RELATING TO GENERAL LYMAN FIELD," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 653, 106, 435, 734, 861, 1830 and 1839 had passed Third Reading at 3:14 o'clock p.m.

H.B. No. 1920, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT," passed Third Reading by a vote of 51 ayes.

H.B. No. 132:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 132, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1072:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1072, entitled: "A BILL FOR AN ACT RELATED TO THE CIVIL SERVICE EXEMPTION OF THE STUDENT MEMBER ON THE BOARD OF EDUCATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1506:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1506, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1819:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1819, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1861, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1920, 132, 1072, 1506, 1819 and 1861 had passed Third Reading at 3:15 o'clock p.m.

H.B. No. 720:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 720, entitled: "A BILL FOR AN ACT RELATING TO

COMMUNICABLE DISEASES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1866, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVIEWS BY STATE HEALTH PLANNING AND DEVELOPMENT AGENCY," passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Anderson, Cavasso, Hemmings, M. Ige, Liu, Marumoto and O'Kieffe voting no.

H.B. No. 666, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed Third Reading by a vote of 51 ayes.

H.B. No. 571, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL," passed Third Reading by a vote of 51 ayes.

H.B. No. 405:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 405, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 404, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Third Reading by a vote of 51 ayes.

H.B. No. 401:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 401, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 720, 1866, 666, 571, 405, 404 and 401 had passed Third Reading at 3:21 o'clock p.m.

H.B. No. 112, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DUPLICATE KEYS," passed Third Reading by a vote of 51 ayes.

H.B. No. 695, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 695, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 696, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 696, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 697, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 698, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 698, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 699, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 699, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 112, 695, 696, 697, 698 and 699 had passed Third Reading at 3:22 o'clock p.m.

H.B. No. 700, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 700, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 701, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 701, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 702, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 702, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 703, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 703, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 704, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 704, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 705, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 705, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 706, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 706, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

H.B. No. 707, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1796:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1796, entitled: "A BILL FOR AN ACT RELATING TO TERMINATION OF CONTRACT BY CONTRACTING AGENCY," passed Third Reading by a vote of 51 ayes.

H.B. No. 942, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1597, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 222:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 222, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE COLLECTION SERVICING AGENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1599:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1599, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 831, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 700, 701, 702, 703, 704, 705, 706, 707, 1796, 942, 1597, 222, 1599 and 831 had passed Third Reading at 3:23 o'clock p.m.

H.B. No. 719, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUBERCULOSIS," passed Third Reading by a vote of 51 ayes.

H.B. No. 718, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE HANDICAPPED," passed Third Reading by a vote of 51 ayes.

H.B. No. 1885:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1885, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC BROADCASTING AUTHORITY CONTRACTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1903:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1903, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ADMINISTRATORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1843:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1843, entitled: "A BILL FOR AN ACT RELATING TO PROGRAM REQUIREMENTS OF THE GENERAL ASSISTANCE PROGRAM," passed Third Reading by a vote of 51 ayes.

H.B. No. 753:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 719, 718, 1885, 1903, 1843 and 753 had passed Third Reading at 3:24 o'clock p.m.

H.B. No. 164, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 164, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING A GRANT-IN-AID APPROPRIATION FOR THE REPLACEMENT OF CIVIL PATROL

HANGARS AND FACILITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 421:

On motion by Representative Souki, seconded by Representative Fukunaga and carried, H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was recommitted to the Committee on Finance.

H.B. No. 818:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 818, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1845:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1845, entitled: "A BILL FOR AN ACT RELATING TO DIVISION OF COMMUNITY HOSPITALS," passed Third Reading by a vote of 51 ayes.

At 3:24 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 3:25 o'clock p.m.

H.B. No. 1917:

Representative Apo moved that H.B. No. 1917, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak in favor of the bill, with reservations, stating:

"The people paying medical services deserve not to be taxed for being sick. It is unconscionable to do so and we would much prefer to eliminate the tax entirely.

"Once again, this is the wrong way to provide relief and this bill is actually regressive and hurts and impacts the lower income and working poor who are sick the worst.

"Secondly, it does not provide immediate relief.

"And the third point is, how ineffective and cost inefficient is it to collect all the money, take it into the government coffers and then have the taxpayers and government workers go through all the paperwork to refund the money? Wouldn't it be better for the working people of Hawaii not to pay the tax in the first place?

"I do believe they need the relief and, therefore, I'll vote for the bill but with reservations in hopes that we can eventually eliminate the tax entirely.

"Thank you, Mr. Speaker."

Representative Anderson then rose to speak in favor of the bill, with reservations, stating:

"I'm glad that we have a tax credit and they are able to claim double if you are over 65. However, the other day, I did vote against the food exemption because of the four percent strictly because I said I won't kill the bill but I think we should have gone further and that's what we should do with this. We should eliminate it altogether

and I just wanted to make it clear for the record that I do have reservations with that.

"I believe if we can look at our tax structure and find that we're able to give tax exemptions, then we should look at it and find out exactly what it is going to cost us and exempt that for the people and not charge them for getting sick.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1917, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 1915, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1915, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF CERTAIN INCOME," passed Third Reading by a vote of 51 ayes.

H.B. No. 1822, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1822, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF THE HAWAII STATE COORDINATING COUNCIL ON DEAFNESS TO THE DEPARTMENT OF HEALTH," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 164, 818, 1845, 1917, 1915 and 1822 had passed Third Reading at 3:28 o'clock p.m.

H.B. No. 1015, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 224:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 224, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 51 ayes.

H.B. No. 1778, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1778, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF WAIKIKI BEACH," passed Third Reading by a vote of 51 ayes.

H.B. No. 1856, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1856, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1097, HD 1:

Representative Apo moved that H.B. No. 1097, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"Mr. Speaker, this is a big step for doing the right thing. It is a very, very credible move for fiscal responsibility for the total session. It will require us, as well as the administration, to make sure that our priorities are sound. We can allow the people to make a decision on how they want to spend a significant portion of the surplus. It will have a very positive effect on the economy and it's very pleasing to be part of a legislative initiative in this area. And let it be known to the public, those watching and those who are here, that this was a legislative initiative, not one from the administration.

Thank you, Mr. Speaker."

Representative Hemmings then rose to speak in favor of the bill, with reservations, stating:

"I, too, am very proud that this is a roughly \$200-million step in the right direction. But it is not a big enough step, Mr. Speaker.

"The budget that we are living off of now and operating on was more than generous when we passed it about a year ago. It provided adequately for all the magnificent funding programs everybody talked about so glowingly in this chamber. Nevertheless, in spite of that, because the people of Hawaii are over-taxed, we are going to have a projected \$600-million surplus. That's excess money. Next year's budget that we passed on Second Reading today can budget on projected revenues of next year. The people of Hawaii deserve a refund of all their surplus. This money will trickle back into the economy, provide more jobs, more opportunities, rather than more boondoggles in government spending.

"I do applaud the Majority Party for recognizing the Republicans' initiatives on this effort for this \$200-million bill. We only hope that you will acquiesce to our continued urging to give the people back more of their money they worked for. They deserve it. Refund all the surplus or a good portion of it. The people of Hawaii are quite capable of spending their money wisely.

"Thank you."

Representative M. Ige then rose and requested that the "words of the Minority Leader, Representative Liu, be inserted into the Journal as though they were my own," and the Chair, noting that there were no objections, "so ordered." (By reference only)

Representative Arakaki then rose to speak in favor of the bill, with reservations, stating:

"I think it is great that we can respond to the human cry for some type of rebate or refund. But I think we should also recognize that we have a responsibility to the future, especially to our children, and I just wonder what type of legacy we are leaving for them. I think if we can think ten years into the future and then look back and see how many people will remember this rebate or refund as opposed to what we could do positively in terms of education or leaving things like open space and beaches for our children. So, while I support this, I hope that we will consider this very carefully.

"Thank you, Mr. Speaker."

Representative Anderson then rose to speak in favor of the bill, with reservations, stating:

"I wouldn't feel very comfortable if I went home without saying a few words.

"We're asking to do a whole bunch of things for the community here. We don't know how much it is going to cost us to take off four percent off of food. That's why we give tax credits.

"My own daughter, when we talked about the rebate, said, 'If you folks are considering \$400 a person, that's \$1,600 for my family,' and I said, 'Not if you left it up to Dad.'

"We have to look at what we are really doing -- if we are going to repair schools, if we are going to help in the educational field -- to listen to some of the people, and I have talked to quite a few. They don't mind if they don't get a tax rebate but they want to know that we're going to spend their money wisely. They wanted to make sure that they were not going to go ahead and be retaxed. Then we turn around here today and we are going to return \$200-million.

"In essence, I don't know what's going to happen when it goes to the other side. But just in this house alone, I am sure if we were to figure out all the other bills we have, we've eaten up the surplus.

"So I would say that we are going to have to make sure we have good quality legislation and it is nice to play games with the taxpayers out there, but I don't really feel that they are looking to a rebate. I've been listening to radio stations and everything else condemn us, but the people are saying, come up with good legislation, come up with quality programs.

"Thank you very much, Mr. Speaker."

Representative Cavasso then rose and stated:

"Mr. Speaker, I would like to speak in favor of this bill and respond to the previous speakers and point out that there is room for both a substantial rebate as is in this bill, and to take care of education and human services. I would say that we could also double the size of this rebate and still have room to take care adequately the improvements in education and improve substantially our human services support, and I urge people to continue to support this and, hopefully, the Senate would increase it.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1857, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1857, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," passed Third Reading by a vote of 51 ayes.

H.B. No. 295, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL SYSTEM," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1015, 224, 1778, 1856, 1097, 1857 and 295 had passed Third Reading at 3:35 o'clock p.m.

H.B. No. 188, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SERVICES ORGANIZATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 219, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Third Reading by a vote of 51 ayes.

H.B. No. 215, HD 1:

Representative Apo moved that H.B. No. 215, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Cavasso rose to speak against the bill, stating:

"I understand the concern that this bill raised in trying to prevent something that has happened on the mainland where a person misused funds raised in the form of contributions to help with the financial care of a child. I point out, however, that there are many cases where we should allow the families, the parents of the children, to benefit from the fund raising activities as well.

"I give a case of a father who was seriously injured and we were raising money for that father. And the moneys that we raised from that will not only help that father but should that father die, they will also help to support his wife and children, and we should not forbid that family from taking those funds and using them for those purposes which I am sure that father would have us do -- to take care of both his medical bills and the needs of his wife and children should he pass on.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Andrews, Cachola, Cavasso and Kanoho voting no.

H.B. No. 1662:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER," passed Third Reading by a vote of 51 ayes.

H.B. No. 1636:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1636, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1815:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1815, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1539, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Amaral, Bybee, Chang, Hagino, Isbell, Kotani and Stegmaier voting no.

The Chair directed the Clerk to note that H.B. Nos. 188, 219, 215, 1662, 1636, 1815 and 1539 had passed Third Reading at 3:37 o'clock p.m.

H.B. No. 1236, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1236, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 796:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 796, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 240, HD 1:

Representative Apo moved that H.B. No. 240, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu then rose to speak against the bill, stating:

"Succinctly, I think the method provided is well intentioned but is unconstitutional. Directly or indirectly, it will be rude to give a greater weight to one individual's vote over another and that is just against the law.

"Thank you, Mr. Speaker."

Representative Cachola then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill.

"Just to satisfy the concern of Representative Liu, I got an opinion from the AG's office and they said that it can withstand any constitutional challenge.

"In the interest of time, Mr. Speaker, I have my remarks here and I would like that to be inserted in the Journal."

The Chair, noting that there were no objections, "so ordered."

Representative Cachola's remarks are as follows:

"Mr. Speaker and fellow Representatives, I am a firm believer in the principle of 'if it ain't broke, don't fix it,' but the last primary has shown that the law regarding election ties clearly needs fixing. I submit that House Bill 240, House Draft 1, offers a relatively simple, yet prudent, means of resolving a tie.

"Presently, state law provides for resolving an election tie only if the candidates agree to decide the election by drawing lots or some other random method.

"My proposal would delete the lot procedure and resolve the tie by using an election rate point system, which is explained in the bill.

"Under this method, the chief elections officer would be able to settle a tie, without the tied candidates meeting, by using dependable and readily available data: election result printouts and voter registration lists.

"(From the election results and voter lists, the elections officer would determine which of the tied candidates won each precinct in the election district. Each precinct would have its 'election rate point.' The election rate point is defined as: ELECTION RATE POINT = Number of voters in precinct over the number of voters in election district. The winner of each precinct would receive the election rate points for that precinct and the candidate with the greatest total of election rate points would be the winner of the election. If there is a tie in these totals, the winner is the candidate winning the most precincts.)

"This proposal applies to both primary and general elections and is the most fair and expeditious method.

"In addition, I have received an Attorney General's opinion advising me that the bill should withstand constitutional challenge. Laws to break ties in election results have not been struck down as unconstitutional.

"In closing, this bill would resolve election ties at no cost, using information already in hand, in a matter of minutes. I just want to stress that **THE BILL'S SOLE PURPOSE IS TO PROVIDE AN EFFICIENT MEANS FOR RESOLVING A TIE** in the popular vote.

"I urge all my colleagues to vote in favor of this bill."

The motion was put by the Chair and carried, and H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Cavasso, Hemmings and Liu voting no.

H.B. No. 403, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed Third Reading by a vote of 51 ayes.

H.B. No. 812:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 812, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Third Reading by a vote of 51 ayes.

H.B. No. 559, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1716, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERCEPTION OF COMMUNICATIONS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1236, 796, 240, 403, 812, 559 and 1716 had passed Third Reading at 3:40 o'clock p.m.

At 3:40 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 3:41 o'clock p.m.

H.B. No. 979, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1133:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1133, entitled: "A BILL FOR AN ACT RELATING TO RENTAL AGENCIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1188, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1215:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1215, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 51 ayes.

H.B. No. 45, HD 2:

Representative Apo moved that H.B. No. 45, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak against House Bill 45, HD 2, stating:

"This is a rather amazing bill and I don't know how it came to be but it's certainly not going to serve the cause of fighting crime, especially in the area of drugs. We all know that drugs is a major business in this State. In fact, according to the Attorney General, it may be the biggest business in this State and it deserves systematic solutions, including laws that are going to penalize those people who by choice choose to indulge in drugs.

"If we are reading this bill correctly, if I am, I believe someone who is caught on the second offense can get off of a mandatory sentence by simply telling the court that they are drug abusers and that will be a fast ticket to get into a rehab program rather than going to jail as the law was originally written.

"I don't believe in a no-fault society. I believe that we should be raising our young people, our children whom we talk so much about on this floor, that there are no excuses for breaking the law. There should be no quick and easy exit from being held accountable.

"I do believe in due process. I do believe that everybody should have their day in court, but likewise,

people should be held accountable and this circumvents accountability. I am sure that the defense attorneys will enjoy this bill, but I don't know if the people who have had their homes robbed or personal property stolen from them because drug users need the money to buy more drugs, are going to like this bill.

"I don't know that this bill protects society and law-abiding citizens or if it protects repeat drug offenders. I think it is time we err on the side of society and victims of crime rather than continue to find excuses for drug abusers.

"Therefore, Mr. Speaker, I am voting 'no' and I'd give the Majority Party the opportunity to consider this bill at length when and if it comes back from the Senate because I am sure my speaking against it today is not going to sway everybody's vote.

"Thank you, Mr. Speaker."

Representative Liu then rose to speak against the bill, stating:

"I concur with the Minority Floor Leader that this is an amazing bill. It takes repeat offenders for certain crimes of theft out of the mandatory sentencing structure as we have currently, and upon some determination of the judge that they are substance abuser which is not defined in the Penal Code, not defined in any other statutes very clearly, that they then can have probation. It would be very interesting to be a client, a defendant, speaking to his or her attorney and asking the attorney -- what are my options? What's going to happen if I plead guilty? Or what's going to happen before the court? The attorney would have to tell the client, well, if you are a substance abuser, you can get probation, assuming this is for a second or third offense which comes under the mandatory sentencing structure as we have in the current statute. I don't think it would take any leap of great knowledge or intellect to consider at that point in time, even if one were not a drug abuser, to decide, well, I think perhaps if I go out and consume some sort of illegal drug before my trial and plead to the judge that a test should be taken of me and perhaps they will find out that I am a drug abuser, then bingo!, I am out of jail or out of some indetermined sentence to prison and instead I'm on probation through some kind of program which may or may not help a habit that I may or may not have.

"This bill ignores the case where theft is not based on any drug abuse. And yet an individual in that situation can easily masquerade as a drug abuser.

"Again, I concur with the Minority Floor Leader and I use the phrase again -- it's an amazing bill. It would be interesting to see how my colleagues will vote on this bill in the next few minutes.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 45, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY CRIMES," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Cavasso, Hemmings, Liu, Marumoto and O'Kieffe voting no.

H.B. No. 1059:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1059, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV, SECTION 1, OF THE HAWAII CONSTITUTION, TO ALLOW THE INCLUSION OF PALMYRA ISLAND IN THE

BOUNDARIES OF THE STATE OF HAWAII," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Arakaki voting no.

H.B. No. 225, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 225, HD 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 Third Reading by a vote of 51 ayes.

H.B. No. 409:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 409, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and Hemmings voting no.

H.B. No. 751:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 751, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1895, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-FUNDED MEDICAL ASSISTANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1445, HD 2:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1445, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1685, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 471:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 471, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Hayes, Isbell, Lee and Leong voting no.

H.B. No. 1023, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1023, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1902, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1902, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1872, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1848:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1848, entitled: "A BILL FOR AN ACT RELATING TO TOLERANCE FOR PESTICIDES IN FOOD OR RAW AGRICULTURAL COMMODITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 383, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 383, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 724, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 724, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1802, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1802, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 51 ayes.

H.B. No. 1316:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1316, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1820, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON EMPLOYMENT AND HUMAN RESOURCES," passed Third Reading by a vote of 51 ayes.

H.B. No. 586, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 51 ayes.

H.B. No. 1789, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOURS OF WORK," passed Third Reading by a vote of 51 ayes.

H.B. No. 730, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IN-SERVICE TRAINING," passed Third Reading by a vote of 51 ayes.

H.B. No. 481, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS AND ATTENDANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 145, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL VIOLENCE," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 979, 1133, 1188, 1215, 45, 1059, 225, 409, 751, 1895, 1445, 1685, 471, 1023, 1902, 1872, 1848, 383, 724, 1802, 1316, 1820, 586, 1789, 730, 481 and 145 had passed Third Reading at 3:50 o'clock p.m.

At 3:51 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:55 o'clock p.m.

H.B. No. 1813, HD 1:

Representative Apo moved that H.B. No. 1813, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

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

"There appears to be broad-based agreement that educational restructuring and decentralization would improve the administration of our public school system.

"This bill will start the process of assisting schools to shift to a system of local control. The bill mandates the Board of Education to establish procedures which will result in the selection of a number of schools to start planning what form of school-community based management they want. It also mandates all State agencies to grant waivers from rules, policies and procedures unless they can justify denial to the appropriate authority.

"Governor Waihee believes that this bill is most important in the effort to restructure our public school system. He requested a special joint hearing of the Education Committees of both houses so that he could testify in person, encourage us to look at ways to amend the bill in order to make full use of the resources we know are in the schools and surrounding communities. We have done this.

"The Education Committee held three hearings on this bill, including an informational hearing at Washington Intermediate School. We had supporting testimony from many principals, teachers and parents. This bill was also supported by the Board of Education.

"Restructuring of an organization as large and complex as the Department of Education can only be done with careful planning and coordination. The Department has assembled a task force comprising a broad base of participants. This task force is expected to recommend a process whereby individual schools can do the actual planning and establishment of the school-community based management system.

"It is our intent that planning for this restructuring take place at the school and in the community. We want planning to be from bottom up, not from top down, and we have done this to this bill.

"We have not mandated school-community based management on the local schools. It is for them to decide whether they want it or not and if they do want it, they should decide what form it takes. This bill is meant to respond to the desire of all people to have more say in the decisions of their local schools.

"I thank my colleagues on the Committee on Education for their involvement in bringing this bill out.

"I urge my colleagues to vote in favor of this bill.

"Thank you."

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

"I think this and perhaps two or three others on education are probably the most important bills, or among the more important bills, that we are going to consider today, but in supporting it, I would just like to make a couple of observations and that is what this bill is not.

"This bill is not a substitute for the governance bills that we will be considering in a few moments. It is an orientation, it is not a restructuring. It is effectively a policy plan adopted by the Board of Education to be implemented by the Board of Education.

"It is a good bill and I urge its support, but it is not the whole 'cup of tea' so to speak.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 1813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 1050:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1050, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1894, HD 1:

Representative Apo moved that H.B. No. 1894, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Say then rose to speak against the bill, stating:

"Going through this administration bill, it is very difficult for a lay person who is not in the insurance business or a plaintiff attorney, but this bill will re-enact four acts that went into effect in 1987 but were repealed with the delayed enactment of Act 347 in 1988.

"I am particularly opposed to the re-enactment of one particular act within this four act measure which is Act 97, Session Laws of Hawaii 1987. And the concern that I have is something that, for the young freshmen here this afternoon, is understanding what a committee report is and how one interprets it.

"Based on the committee report of Act 97, the plaintiff's attorneys are now arguing that a private cause of action exists on behalf of both first party and third parties to enforce statutory violations of the unfair claims settlement section of our Insurance Code. Such an interpretation of the committee reports is contrary to the statutory language that was enacted by Act 97. What I am saying simply is that in the committee report, it states it is going to be interpreted this particular way, A and B, but in essence, in the statutory law itself, it is C and D.

"The statutory language is similar to the NAIC Model Act, which the NAIC has found does not create a private cause of action. Moreover, prior to Act 97, courts in Hawaii had ruled that there was no private cause of action for violations of this particular Insurance Code.

"The reason for this is because the code was meant to be administratively enforced by the Insurance Commissioner who is in the best position to determine if a company is engaging in a pattern or practice of violating the law, broad misrepresentation, and so forth. To expand this right to permit private individuals to also sue will increase the amount of litigation, coerce higher settlements, and ultimately, I think, affects all of us through the increase in insurance costs for our consumers.

"California had judicially created a private cause of action law in the Royal Globe case in 1979. After nine years of experience with Royal Globe, the California Supreme Court, in August of 1988, overruled that decision in the case of Moradi-Shalal vs. Firemen's Fund Insurance Companies.

"The Moradi decision recognizes the problems caused by Royal Globe's creation of a private cause of action. Under Royal Globe, third parties who have never paid a penny on an insurance contract were able to sue the insurer directly rather than having to sue the first party insured first. This required insurance companies throughout California to hire additional attorneys -- one for the insured and one for the company.

"Also, as a result of Royal Globe, insurance companies were being coerced into paying higher settlements. Determining the value of a case for settlement, I think, for all of us here this afternoon, would be very difficult. If an insurance company honestly and reasonably believes that the case is worth \$150,000 but a plaintiff demands \$200,000, the insurance company under Royal Globe legislation faced the risk of being sued for bad faith and punitive damages for refusing to settle if a jury later awarded the plaintiff the \$200,000 in damages.

"In essence, the insurance company was unable to freely exercise its right to first determine their own liability because it had to worry about being sued for bad faith refusal to settle before trial, if the jury found later that the plaintiff had won its case.

"As plaintiff's attorneys stated at a recent hearing, this fear of being sued is somewhat heavy-handed and it could be used as a club over insurance companies here that we

have in the State. While there has been no showing that there is a problem with insurer's bad faith, this heavy-handed club would enable plaintiff's attorneys to coerce insurers into settling all cases for more than the claim was worth. Rather than take the risk of exposure to a bad faith action, or having to incur the additional litigation costs in frivolous cases, insurance companies now would be coerced into settling cases at a higher amount than what may be truly warranted.

"Ultimately, the higher cost incurred by insurance companies for litigation, settlement, and jury awards will be passed on to all of us here and our constituency who are the consumers. And it is going to be in a higher form of insurance premiums. This is a common sense and a basic economic principle -- even the Moradi decision recognizes those adverse social and economic effects.

"The re-enactment of Act 97 of this particular measure, which is one out of four, would reinstate the committee reports which plaintiff's attorneys are using to create a private cause of action.

"With these comments, I ask all of you to vote 'nay' on this particular measure.

"Thank you."

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

"I would like to remind my colleagues that the private cause of action right historically has served to provide numerous benefits to society and protections, not only safety protections, but protections for consumers of insurance and many other services that we enjoy as citizens. The attack on the private right to pursue by way of litigation is really, in many ways, an attack on the jury system and our lack of confidence in the people of this State as they sit in jury boxes and make decisions on what is proper and what is not proper.

"I would remind the other speaker that plaintiff's attorneys represent people. They don't represent plaintiff attorneys, and people frequently are consumers and these consumers frequently have very valid claims for abuses on all levels. And there is a bigger picture here, Mr. Speaker, relative to the protections that this bill calls for and that is an overall policy of -- do we allow our consumers and our people to have access to courts or do we just shut our courts down and allow government agencies and government officials to protect them when and if they have the time to do so?

"I would urge support of this bill, Mr. Speaker."

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

"This bill simply clarifies that certain actions taken by the Legislature in 1987, in conjunction with its action on passing the one thousand page insurance recall bill, that those actions remain in full force and effect.

"As the previous speakers have alluded to, one of the acts that we are attempting to clarify with House Bill 1894 is Act 97 which raises the issue of other causes of action besides administrative remedies whenever an insurance company engages in unfair claim settlement practices. I acknowledge that this is a rather confusing area of the law and, in fact, some of the statements made by the first speaker serve to point out how confusing it is and how easy it is to add to the confusion.

"One of the statements made was that prior to Act 97 which was enacted in 1987, there was no private cause of

action for first party insureds to pursue. I don't know where the person who made the statement got the statement, but it is not fact. And it certainly is not acknowledged as fact by anyone that I know of in the insurance industry, and I have certainly discussed this entire issue with them over the last few years as well as this week and today. As far as the insurance industry is concerned, for many, many years, first party insureds had a private cause of action against their own insurance company for bad faith activities on the part of insurance companies.

"Act 97, which we enacted in 1987, simply says that the administrative remedies that are contained in this chapter are not the sole remedies because they are inadequate. When you consider how many insureds there are, most of us, I would say that everybody here carries insurance. There are thousands of insureds out there. Do you expect that it is reasonable that whenever your insurance company deals with you in bad faith that the Insurance Commissioner should be the sole avenue of redress? No! We recognized that in passing Act 97. All Act 97 says is that the administrative remedies are not the sole remedies. It left it up to the courts to develop the case law as to other remedies, whether they be first party claims, third party claims, what-have-you. There is absolutely no mention of Royal Globe, third party claims anywhere in Act 97. The entire intention was to allow the case law to be developed in this area. What we did intend with Act 97 was to acknowledge, however, that the remedy -- the administrative remedy -- was not adequate. And it is certainly not the Insurance Commissioner's position that insureds should be limited to merely administrative remedies. In fact, that is not the Insurance Commissioner's position. I have discussed this with the Insurance Commissioner today. He acknowledges that in this jurisdiction, first party claims against insurance companies have been recognized. The statement that it was never recognized prior to 1987 is at best an opinion which is generally not shared by anyone in the insurance industry that I have spoken to.

"In light of all of the confusion that has occurred and the issue of bad faith, we have another bill coming before us on that issue. House Bill 1894 is a very simple bill. It is an administration bill that just says to the courts--address this issue, deal with it, develop the case law. It is not the Legislature saying to the courts one way or the other, come down, one way or the other, and as far as this Legislature was concerned in 1987, when it enacted Act 97, that was a reasonable feat and this bill before us simply clarifies that that act remains in full force and effect.

"I urge my colleagues to vote up on this measure.

"Thank you."

At 4:18 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:29 o'clock p.m.

Representative Liu then rose to speak in favor of House Bill 1894, HD 1, with reservations, stating:

"I have listened to the debate with great interest and I know that this has some effect on the bill which we will be voting on later, and we will see how the votes go on that bill.

"But on this bill, I would just like to say that by voting in favor of this bill, at least on my part as a member of the group who will be perhaps in the majority on this bill,

I would say that it is not my intent to touch or to vote in favor of the committee report which may have been passed in conjunction with the bill related to Act 97. It's my intent, by voting upon 1894 with reservations, to do what the current committee report says for 1894, which is to reconcile some of the confusion over what is alive and what is not alive in the committee report.

"So, notwithstanding of the earlier speakers in favor of this bill, it is my desire that future interpreters of this statute, should it become a statute, will also indicate that there are those who voted in favor of the bill who do not believe that Act 97, in any way, should or does create a private action on the part of individuals under the statutes.

"So, Mr. Speaker, for that reason, I will be voting for the bill but with reservations.

"Thank you."

Representative Say then rose on a point of inquiry and asked whether or not the Chairperson of the Committee would yield to a question to which Representative Hirono replied in the affirmative.

Representative Say asked:

"The question before us this afternoon is a question that I would like to address to the Chairperson is: Does this legislation extend it to third party lawsuits?"

Representative Hirono answered:

"As I mentioned in my comments, there is absolutely nothing in Act 97 that talks about any kind of claims by anybody -- first party, third party, any party. It simply says that the administrative remedies are not the sole remedies in this area, leaving it up to the courts to make a determination as to what is appropriate regarding first party claims or third party claims. There is nothing in the law itself."

Representative Say thanked the Chair.

Representative Anderson then rose and requested that Representative Say's remarks be inserted into the Journal as his own and the Chair, noting that there were no objections, "so ordered." (By reference only)

The motion was put by the Chair and carried, and H.B. No. 1894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Third Reading by a vote of 35 ayes to 16 noes, with Representatives Anderson, Andrews, Baker, Bunda, Cachola, Cavasso, Hashimoto, Hirayama, Horita, M. Ige, Kanoho, Marumoto, Peters, Say, Tajiri and Yoshimura voting no.

H.B. No. 185:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 185, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 944, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 944, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1060, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1060, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING," passed Third Reading by a vote of 51 ayes.

H.B. No. 1534:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1534, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE BOARD," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1813, 1050, 1894, 185, 944, 1060 and 1534 had passed Third Reading at 4:39 o'clock p.m.

H.B. No. 41, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 41, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 223:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 223, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1795:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1795, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN BANKS," passed Third Reading by a vote of 51 ayes.

H.B. No. 989:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Andrews, Bybee and Cavasso voting no.

H.B. No. 1535, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1535, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1463, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 941, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1887, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1887, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 379, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

H.B. No. 585, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1464:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1464, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1817, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1541, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1537, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1537, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS," passed Third Reading by a vote of 51 ayes.

H.B. No. 742, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 742, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1467:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1467, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1883, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1883, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 748, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1816, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 51 ayes.

H.B. No. 221, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Third Reading by a vote of 51 ayes.

H.B. No. 648, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1891:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1891, entitled: "A BILL FOR AN ACT RELATING TO LICENSE EXAMINATION OF REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 443, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 443, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1112, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANY POWERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1884, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTORCYCLES AND MOTOR SCOOTERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1890:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1890, entitled: "A BILL FOR AN ACT RELATING TO REAL

ESTATE LICENSE TERMINATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 596, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 596, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1892:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS FALSE STATEMENT," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 41, 223, 1795, 989, 1535, 1463, 941, 1887, 379, 585, 1464, 1817, 1541, 1537, 742, 1467, 1883, 748, 1816, 221, 648, 1891, 443, 1112, 1884, 1890, 596 and 1892 had passed Third Reading at 4:40 o'clock p.m.

H.B. No. 1633, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1889:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1889, entitled: "A BILL FOR AN ACT RELATING TO HEARING AIDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1660, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1660, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1814:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1814, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 597:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1516, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1746:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1598, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1638:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO BONDING OF MOTOR VEHICLE INDUSTRY LICENSEES," passed Third Reading by a vote of 51 ayes.

H.B. No. 839:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 839, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Bybee and Cavasso voting no.

H.B. No. 1003:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1003, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1888:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1888, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND," passed Third Reading by a vote of 51 ayes.

H.B. No. 1663:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1663, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 935:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 935, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM HOTEL OPERATORS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1633, 1889, 1660, 1814, 597, 1516, 1746, 1598, 1638, 839, 1003, 1888, 1663 and 935 had passed Third Reading at 4:41 o'clock p.m.

H.B. No. 1540:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1540, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1538:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1538, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1635, HD 1:

Representative Apo moved that H.B. No. 1635, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Bybee then rose to speak against the bill, stating:

"Mr. Speaker, to my knowledge, this bill presents a matter of first impression to this body for a vote. As such, I would describe as landmark legislation if it passes, and let me explain.

"We frequently identify classes or groups of people for protection under our statutes such as families, the elderly. We often adopt protections for other groups on the basis of race, religion or color. When we do this, that is identify or define a group, we make a policy decision, a decision that this group is worthy of protection or the specific benefits as provided by the statute. And after we make this policy decision, oftentimes this identified group spreads throughout our statutes for protection in other areas.

"Now, this bill asks us to identify and recognize a new group to be protected under our laws, a group to my knowledge which has never before been given special identification or recognition by this body. This group is identified in this bill and is pretty much all this bill deals with. But this group is identified in this bill as one having what is called 'sexual orientation.'

"The bill, on page 7, specifically calls for this act to be prohibited, refusing to insure, or limiting the amount of coverage available to an individual because of the sexual orientation --that's the added words -- for marital status of the individual, et cetera.

"What does this definition or description of sexual orientation mean? Let's not be naive here. Let's be candid.

"Because the statute already identifies and recognizes the categories of sex and marital status, the added words of 'sexual orientation,' as proposed by this bill, can only mean to identify homosexuals and lesbians as a new group that should be given special recognition and protection. In other words, for the first time, in my knowledge anyway, we are, as a body, identifying homosexuals and lesbians as a selected class to be recognized under our laws in Hawaii.

"I ask you: Should we adopt such a policy? What message will we be sending to the people of Hawaii if we adopt this policy?

"I think it is a fair statement that our action in this area as a body, whether intended to or not, serves as a moral guide to our people. We should, therefore, weigh our decisions in this area very carefully. It is not the intent of this bill to make a moral judgment and I am not suggesting that it does, but it does publicly identify and recognize for protection a group of persons exercising the chosen lifestyle that has historically been condemned as immoral from biblical times and is condemned as immoral by most of the organized religions in this State.

"I believe this is a bad policy for our body to take. I believe, if we adopt this policy, we will see this identified group showing up as a special recognized protected group in many other statutes.

"Let's be clear what the 'yes' votes mean on this bill, Mr. Speaker. I urge everyone to vote 'no' on this bill."

Representative Cavasso then rose to speak against the bill, stating:

"I would point out, Mr. Speaker, that by this proposed act, we would be forbidding insurance companies to take certain activities or behavior into consideration. There are other activities that may be performed by members of this House such as the Minority Floor Leader likes to ride big waves, while remembering that when you ride big waves, that you're participating in an activity which has a greater risk than most of us are accustomed to. And the private companies would therefore most likely say to the Minority Floor Leader that 'you're going to have your protection rated because you live a little bit riskier life than the average person.' It makes sense that they should do so.

"There may be some here who travel overseas. While the insurance companies, again based on an activity of travelling overseas, may say that if you travel to a place where disease is prevalent, then you would pay a slightly higher amount for your coverage because actually speaking, you have a greater risk or greater chance of utilizing the insurance coverage.

"And it is wrong for us to tell them that they cannot make these different ratings now, and by putting this behavioral lifestyle and saying that you cannot make decisions as to how you will rate this insurance based on the behavior. Then the next group that we should come in with is you cannot look at surfers as somebody who is different, or you cannot look at travellers as someone who is different and, practically speaking, they need that so that we can all keep our rates at a level that's as realistic as possible for the actual risk that is involved before I ask others to oppose this legislation."

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

"What we are talking about here is a protection against discrimination. Inherent in this protection is a discussion of conduct based upon a 'non-merit' factor.

"Explicitly here, with regard to insurance and sexual orientation, all we are offering is that it is important to understand that homosexual males are a high risk group to HIV infection. We simply say to insurers that when they are making a decision with regard to the insurability of this particular group, that they should make that decision based upon good, objective data, i.e. blood tests, and not upon the physical appearance of that individual and not upon the moral conduct of that individual.

"I would urge my colleagues to support this issue and to avoid the temptation of making moral judgments when legal protection is at issue here.

"Thank you very much, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, I am speaking against this bill and it has nothing to do with morality, but it has a lot to do with common sense.

"High risk groups do have adjustments regarding their risk in insurance rates. When I went for my insurance policies as a surfer, or scuba diver, or sky diver, they didn't rate me as a high risk because of a blood test. They rated me as such because I was in a risky activity and I think that the marketplace and common sense and good insurance practices demand that regardless of morality, that we do the same with anyone engaged in high risk activities.

"This is not strictly a moral issue. This is a common sense issue. The insurance companies need the flexibility to deal with risk groups accordingly. If we exempt one group for a particular reason, then we should exempt other groups.

"I believe that the common sense thing to do is to vote 'no' against this bill.

"Thank you, Mr. Speaker."

Representative Peters then rose and stated:

"Mr. Speaker, I speak against this measure and in doing so, I would like to incorporate the observations shared by Representative Bybee (by reference only).

"I think the concern on my part is, irrespective of some of the assumptions that perhaps have been expressed on this floor, I'm really not sure how you go about defining 'sexual orientation' and I mean that sincerely. There are some assumptions that refer to homosexuality and who knows what else. But I consider this a backhanded way of trying to define a class that constitutionally and statutorily we have not provided for.

"So how do you administer this section of the law when you are really not sure what we're talking about? At least, I'm speaking for myself. I'm not too sure what it means.

"So, devoid of any further clarification with respect to defining this class, 'sexual orientation,' I am voting 'no.'

"Thank you."

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

"What I am trying to remember is exactly what was said the other night in the committee and I am looking at the committee report. If I remember correctly, it said to stop an insurance company from limiting the amount of insurance. If, in fact, I went in for a \$100,000 insurance policy, I guess the insurance company would ask me if I have heart problems, if I have diabetes, et cetera. In a particular case, they'd probably give me a blood test also.

"If, in fact, it was found that I had a virus, they could then say that they would not issue me any insurance at that amount because of the blood test. Also, they can't do anything with that blood test. According to the arguments that went back and forth, they were saying from the insurance part of it, that they did tell the claimant why they did not get insurance. According to some of the people that were testifying other than that, ACLU and others, they in fact were never told why they were not receiving the insurance policy.

"I think that it's everybody's right to expect the insurance companies to make a profit and if they are going to take a high risk with a person with a heart attack or whatever, there's a possibility that I am going to be paying more, but when you look at a virus that today has a span of two years or two-and-a-half years, you're telling the insurance company, you're going to have to do

that. I don't think that that's fair. I think it is up to them to make that decision and in that way, they can keep their costs down for others, and it may be hard but I don't think it's just a decision on a person's lifestyle or other things. I think it's just good, practical business sense.

"For that reason, I'm going 'no.'"

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1635, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives Anderson, Andrews, Bunda, Bybee, Cachola, Cavasso, Hashimoto, Hemmings, Kanoho, Peters, Tajiri and Yoshimura voting no.

H.B. No. 1747, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RISK RETENTION GROUPS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1237, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

H.B. No. 1474, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1536, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING IMPAIRED," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1540, 1538, 1635, 1747, 1237, 1474 and 1536 had passed Third Reading at 4:57 o'clock p.m.

H.B. No. 1637:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1637, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," passed Third Reading by a vote of 51 ayes.

H.B. No. 231, HD 1:

Representative Apo moved that H.B. No. 231, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Liu then rose to speak against the bill, stating:

"I speak against the bill, not because I'm against tort reform. I'm in fact for tort reform. I had problems with what we did in 1986. I still have problems with it. I think it was set up in 1986 to create a certain amount of

uncertainty so that we couldn't know whether or not it was effective. Sure enough, I think that's the basic consensus whether you're plaintiff oriented or defense oriented and all places in between that we still don't know. That was because we didn't do enough.

"And, in fact, this bill goes further to extend the potential problem of our tort system problems by allowing unidentified defendants to a suit to be named after the statute of limitations has lapsed on the original filings.

"I think this is again going in the wrong direction. Unfortunately, I don't think my vote today will change the direction that we will continue on, but I think the public should know that there are some of us here who do believe that the tort system, philosophically, has to be taken a look at as to whether or not it is the most efficient means to compensate victims if, in fact, we are looking to compensate victims.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT REFORM," having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

H.B. No. 1333:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1333, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 673, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 673, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRANT OF A FRANCHISE FOR THE ISLAND OF MOLOKAI TO MOLOKAI ELECTRIC COMPANY, LIMITED," passed Third Reading by a vote of 51 ayes.

H.B. No. 1415, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC LANDS," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Liu, Marumoto and O'Kieffe voting no.

H.B. No. 920, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A DEPARTMENT OF PUBLIC SAFETY," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Arakaki voting no.

The Chair directed the Clerk to note that H.B. Nos. 1637, 231, 1333, 673, 1415 and 920 had passed Third Reading at 5:00 o'clock p.m.

At 5:01 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:07 o'clock p.m.

H.B. No. 251:

Representative Apo moved that H.B. No. 251, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Cavasso then rose to speak against the bill, stating:

"Mr. Speaker, if we lengthen the session, we will simply generate more work to fill the days and let's not do that."

The Chair asked:

"You don't like working, Representative Cavasso?"

Representative Apo then rose to speak in support of the bill, stating:

"Mr. Speaker, this issue has tried to be addressed every year since I have been in office. Apparently, the problem is that in the Constitution, it specifically calls for a part-time legislature, and apparently the philosophy was that it would provide for working class people to be able to serve and that notion was that we would better understand the problems of the people and come up with wiser solutions since we come from the vast work force. I guess that was okay back in the days whenever this constitutional amendment was placed in the Constitution, but I think what we have here is a mounting problem that I think will eventually need to be addressed. Perhaps this is not the way to do it.

"The problem seems to be that we have a new age of legislators that prefer to work at his job or her job on a full-time basis. That provides a clash with those who come from the work force and who cannot afford those extra days out of session. One way or another, I think eventually we are going to have to re-examine the constitutional philosophy that calls for a part-time legislature. I think the issues that we have to deal with today are extremely complex than perhaps they were fifteen, twenty years ago.

"And then comes the question that legislatures often characterize as a reactive branch of government and that the balance of power that was intended by the Constitution simply is not there because we are not a full-time legislature and that the executive branch of government has the jump on us because they are at work 365 days a year.

"Now, I am sure there are other variations on the theme in terms of avenues to address this problem. One of them would be more interim work on the part of the members of the House and the Senate. I don't have a solution but I think by keeping this issue alive by passing out this bill and sending it to the Senate for discussion every year, maybe we will get a little closer to really biting the bullet and facing what the real problem is, and that is part-time, full-time, somewhere along the line, we need to address it and come up with more than bandaid solutions.

"Thank you, Mr. Speaker."

Representative Cavasso, in rebuttal, stated:

"Mr. Speaker, I am one of those workers who's got two outside jobs besides this place and I believe that we can handle the work in the short time-frame that we have. We have a set of laws that are on the books that we can work with and we can change, and I have no problem with the previous speaker's recommendation that we do some interim work and call committees and such together on a realistic basis. But I do not believe that extending

the length of the session will solve that problem but will only exacerbate it."

Representative Bybee then rose to speak against the bill, stating:

"I applaud the efforts of the Judiciary Committee and the sponsor of this bill to bring it out because it is obviously something that is important and should be discussed, and in a sense it calls for a debate of vehicle, if you will, which will, if this bill passes, present to the people by constitutional amendment a decision to make. And that's probably a good idea but I would like to go on record early and probably often hereafter against the idea of extending the legislative session besides the obvious reasons of adding a thirty percent increase in the cost across the board of everything what we do -- staff, counting all levels. I calculated, Mr. Speaker, that our current session would get over on May 22nd on the basis of this statute or constitutional amendment if it was passed as opposed to its now present schedule of April 24th. And no matter how we extend the deadline, there is always going to be the crunch at the end when the deadline will be put forth or be extended even more. That's apparently an unnecessary factor of the way things happen.

"I think, Mr. Speaker, the problems that this bill is intended to address can be addressed by other less drastic means than creating a full-time or half-time legislature. We have a lot of other opportunities with ideas that have been advanced such as upgrading our computer system, exercising perhaps more restraint on the part of the legislators in filing bills, or even the chairmen hearing bills, upgrading or increasing joint hearings between us and the other body, et cetera, et cetera. There are a lot of ways that this can be dealt with that I am not sure if it has been fully explored yet.

"The bottom line on this, Mr. Speaker, is there are many people in this body today that have professions and businesses and other activities that they sacrifice by coming over here and participating as a legislator and they are going to eliminate those people from the body. And I think it was intended by the people from the very beginning that those types of people should have a role to play here, and I think for \$27,000 a year, we are going to eliminate those people.

"I speak against this bill, Mr. Speaker."

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

"Mr. Speaker, I would like to let the former speaker know that we're pretty close to doing the same thing and having the same problems that we have had when my grandfather was a legislator. We haven't done too much to expand, yet we're up to a billion dollar budget. We have a million people living here. We're now looking at all kinds of problems that they didn't have in the '20s and '30s. And yet, we are looking at the same time constraints.

"I think we are going to have to look at how we're going to improve this Legislature. And every year when something comes down that's new and different, we say -- well, not now, later on. I think that we're going to have to do a better job of trying to look at the legislation that we actually pass. We haven't even done that. We pass bills and then we go back to our jobs and then we come back when session comes back in and we say, this was not the intent that we made for that department. This was not what we intended to do here so we amend all kinds of bills. Maybe if we took our time because we are

extended, we would have a better chance to look at the legislation that we have and do a better job.

"So, at this particular time, I would like to go for the bill, and I thank you very much. I hope my colleagues will do the same."

The motion was put by the Chair and carried, and H.B. No. 251, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE CONSTITUTION OF THE STATE OF HAWAII TO EXTEND THE REGULAR SESSION OF THE LEGISLATURE FROM SIXTY DAYS TO EIGHTY DAYS," having been read throughout, passed Third Reading by a vote of 41 ayes to 10 noes, with Representatives Andrews, Bybee, Cavasso, Hemmings, D. Ige, M. Ige, Liu, Marumoto, Peters and Souki voting no.

H.B. No. 254:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 254, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 232, HD 1:

Representative Apo moved that H.B. No. 232, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Stegmaier then rose to speak against the bill, stating:

"It would remove from the application for marriage license questions regarding the applicant's race, occupation, and whether the applicant's parents are alive and other questions that I think don't have any harm in themselves, or at least are not harmful to the applicant and may provide interesting sociological data that would be of use to social scientists and, therefore, I don't see any reason for continuing the laws as it is, and I would vote against it.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 232, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE," having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Bybee, Cavasso and Stegmaier voting no.

H.B. No. 241:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 241, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 1656, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CUSTODIAL TRUST ACT," passed Third Reading by a vote of 51 ayes.

H.B. No. 316:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 316,

entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1649, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1649, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1382, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEER REVIEW," passed Third Reading by a vote of 51 ayes.

H.B. No. 551, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 551, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR LITTERING," passed Third Reading by a vote of 51 ayes.

H.B. No. 583, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," passed Third Reading by a vote of 51 ayes.

H.B. No. 538, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WITNESSES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1593, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODY AWARDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 447, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL EMPLOYMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1680, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DURABLE POWER OF ATTORNEY ACT," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 251, 254, 232, 241, 1656, 316, 1649, 1382, 551, 583, 538, 1593, 447 and 1680 had passed Third Reading at 5:19 o'clock p.m.

H.B. No. 1711, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1711,

HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1476:

Representative Apo moved that H.B. No. 1476, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Bybee then rose to speak against the bill, stating:

"Mr. Speaker, I will make it very short.

"This bill is a good-intentioned bill but if you look at the exact language of the bill, it provides for a tort immunity for those providing this very valuable...and I think we should promote this kind of activity that provides for tort immunity.

"The tort immunity provided by the bill is across the board in total. It is not limited to the shelter or the food that is provided. It's across the board so what it does, Mr. Speaker, is it creates, let's say, a circumstance where a person was walking in the yard and fell in a hole, the classic example of slipping on a banana peel, eating bad food, or whatever.

"The purpose of this bill is a good one but the bill too broad. It shouldn't grant blanket tort immunity but only immunity as to those things that are provided as promoted by the bill.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 1476, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bybee voting no.

H.B. No. 662, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LAW," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

H.B. No. 658, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WEAPONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 650:

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 650, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 569, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

H.B. No. 564:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 564, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1711, 1476, 662, 658, 650, 569 and 564 had passed Third Reading at 5:20 o'clock p.m.

At 5:20 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 5:21 o'clock p.m.

At 5:22 o'clock p.m., the House of Representatives stood in recess until 7:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 7:23 o'clock p.m.

THIRD READING

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

H.B. No. 536, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Third Reading by a vote of 51 ayes.

H.B. No. 453, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 523, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Third Reading by a vote of 51 ayes.

H.B. No. 302, HD 1:

Representative Apo moved that H.B. No. 302, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Bybee then rose to speak in favor of House Bills 302 and 352, stating:

"Mr. Speaker, I alluded earlier today to the fact that we are considering some important bills. These two bills are probably among those that are most important we'll talk about today, to address the public education crises in Hawaii, and the recommendations of many education experts on how we can solve this crises. The address by the Governor described it as the ultimate issue of education reform in Hawaii -- that of the issue of governance or control.

"House Bill 302 removes management and control power of the Board of Education and places it, that is the

Board, in a policy-making role. That's a key recommendation of the Berman report. It has tied this bill directly to House Bill 352 by its terms which will not become effective until the people of Hawaii vote on the required constitutional amendments to Article 10, Sections 2 and 3, called for in House Bill 352.

"So, regardless of your position on this specific procedure or methodology called for by this bill and H.B. 352, it is imperative that we pass this bill and H.B. 352 to keep the opportunity for discussion alive on these bills effectively, Mr. Speaker, because it will require a constitutional amendment vote of the people, give us a vehicle for discussion, a focus for discussion between now and the next session. It sends a message to the people of Hawaii that we have heard what they want and that we are responsive to that.

"If I may just address a couple of the points of one of the prior speakers and that is, the description was made that these bills indicate we are not serious about decentralization. Mr. Speaker, I would suggest that if we do not pass these bills and leave matters in the status quo which is, in effect, what we would have that would mean that we're not serious about decentralization.

"The Governor did testify in favor of H.B. 1813 which we passed earlier today, but he said in that session to those of you who were here when I asked him: 'Is this Bill 1813 intended to be in lieu of or in substitution for the control or decentralization of governance bills?' And he said, 'No.'

"I should remind everyone here that Mr. Berman, in his report, specifically asks us and proposes as follows: 'We propose that the 1989 Legislature (that's us) pass the legislation proposing constitutional amendments.' That's not 1990 --that's 1989. That's this year, so Mr. Berman has proposed a specific schedule -- a ten year program that we must kick off today by way of enactment of these bills.

"I would suggest, Mr. Speaker, that a 'no' vote on these bills sends a wrong message to the people of Hawaii, that we accept the status quo, and we do not want change, and we do not want further debate. I believe the passage of these bills gives us a special opportunity to hold the exact hearings when the previous speakers felt that we, perhaps, would be denied that by these bills. I suggested to the contrary. The passage of these bills and the fact that they really won't be enacted until the constitutional amendment vote in 1990 gives us a fantastic opportunity to have a focus of discussion and debate in this community, and we can take the lead by our body enacting these bills and I believe it is probably one of the more responsible acts we will take, Mr. Speaker, by enacting both of these bills, and I strongly urge your support."

The motion was put by the Chair and carried, and H.B. No. 302, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Hayes, Hirayama, Honda, O'Kieffe, Shon and Tam voting no.

H.B. No. 352, HD 1:

Representative Apo moved that H.B. No. 352, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative O'Kieffe rose to speak against the bill, stating:

"Mr. Speaker, almost two months ago, we sat here in this very chamber and listened to the Governor tell us that

he wanted more local control for our educational system, more local management, and greater accountability to the people who are most concerned about the quality of education in Hawaii -- the parents.

"There are two things that are essential for the success of this program -- local control, and board members who can determine the precise lines of accountability, starting with the Superintendent. This will allow the people to choose whom they wish to run their schools.

"Although I don't agree with the way the School Board is currently elected, I am afraid that passing this bill will eliminate a significant voice people have in the educational process. Instead of the School Board appointing the Superintendent of Education, the Governor will. Is this local control?

"The proponents of this bill say it is a mechanism to gain greater accountability in the educational process. However, we should not be misled. It continues to centralize rather than decentralize. Control will still be exercised from the top down when what we need is planning and control from the bottom up. Only then can the needs and the desires of local communities be reflected.

"Let's face this issue squarely and honestly. As long as one person has the power to hire and fire the Superintendent of Education in whom rests virtually all the power that the current board now has, that person will be able to run Hawaii's education anyway he or she sees fit. The local control that the people are crying out for now will never be allowed to occur.

"I ask my colleagues to join me in voting against this bill to enhance the chances of a future bill which will put our school control where it belongs -- in your and my communities.

"Thank you, Mr. Speaker."

Representative Tam then rose and stated:

"Mr. Speaker, I rise to speak against two bills on page 58 -- House Bill 302 and House Bill 352.

"Mr. Speaker, your Committee on Education heard ten bills on this subject and decided to hold them until next year since this question cannot be put on the ballot until then. Also, we want to hold public hearings during the interim to give the people of Hawaii the opportunity to tell us what they want in their communities. This decision was in response to testimonies from many groups and individuals, including education experts, parents, administrators, teachers, and other interested members of our community.

"Mr. David Henan, representing the Hawaii Business Roundtable, said, and I quote: 'There needs to be an open process involving all parties to decide what is best. Paul Berman has suggested that the Legislature might consider passing a resolution this session that could start the dialogue on these important issues, perhaps including public hearings over the course of the summer. Paul and I believe the Governor, the Board of Education and others would support such a process. Although we don't know exactly how it might be set up, we stand ready to help.'

"The **Honolulu Advertiser**, in an editorial on February 24th said that a recent poll suggested that two-thirds of our people want to keep electing the School Board and that a similar majority on Oahu supports decentralizing the school system, putting more control in the hands of individual communities and their school staff.

"Mr. Speaker, these two bills will do the following:

"One, the bills before us will further centralize the system, not decentralize it. For the first time in the United States history, a Governor, through an appointed Superintendent of Education, will control the appointment of principals at the school level. This does not appear to be what the people desire. Furthermore, I hope the Governor will oppose these bills. These bills would reinforce a top/down governance approach rather than a bottom/up approach as in House Bill 1813, House Draft 1, entitled: 'School-Community Based Management,' which I remind you, colleagues, we passed this afternoon.

"To pass House Bills 302 and 352 means that we are not serious about decentralization. This is the message we are sending to parents, teachers, students, and the general public.

"The Governor testified on House Bill 1813 before the Education Committee on February 14th and stated as follows: 'The single most essential element of this educational restructuring is school-community based management of our schools, the recognition that governance must shift to a system of local control, that we must have common performance goals and effect of measurements of school progress in meeting these goals, and that schools and communities they serve must have real authority, including the power to do it their way.'

"Mr. Speaker, I am not convinced that these bills will accomplish the Governor's goals, the peoples' wishes, or this body's intent as expressed in House Bill 1813, House Draft 1, which provides for a shift to a system of local control which I again state, we passed this afternoon.

"Secondly, these bills, House Bills 302 and 352, would confuse governance by eliminating authority of the elected, non-partisan Board of Education and by placing real authority in the hands of a Superintendent appointed by the Governor. The Board is supposed to decide policy, but this legislation clearly does not define what policy means.

"I suppose the Superintendent who will be appointed by the Governor and the elected Board can debate this question for many years.

"Thirdly, the public will be confused whether to hold the Governor, Superintendent, Board, or the Legislature, accountable for what is happening in the schools. The Superintendent may ignore Board policies since the Superintendent cannot be fired by the Board. This may mean that real policies are decided by the Superintendent or the Governor.

"Fourth, eventually, voter interest in the Board will fade as people realize that the elected Board is powerless to do anything about public education. In other words, the voters here in Hawaii, through an elected Board of Education, would mean nothing.

"Fifth, also in these bills, the State Librarian and the public library system will be supervised and controlled by the Superintendent rather than the Board. Again, more centralization.

"In conclusion, Mr. Speaker, I do not believe that these bills address the specific concerns of governance which have been expressed by the people of Hawaii so I will vote against them.

"Mr. Speaker, I hope that passage of these bills would not stop us from holding interim hearings on this important issue. There is a need to reach out to the people in their own communities to find out what they

want in their local schools. I hope that we will continue to work on this during the interim and come back next year with legislation which will give the people of Hawaii a more significant and powerful voice in the public school system.

"Thank you."

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

"Mr. Speaker, I am proud to be a product of the public school system. That means I understand it as well as anybody else here in this body I think, and I have also been here long enough to be a legislator under, I believe, five Superintendents.

"When you have a Superintendent who has been appointed by the Board, who has kept his or her job with one vote and a threat of losing a job, when you have a Superintendent who sits on the Governor's cabinet and tells the Governor this is a good program or this is a bad program and they are saying that's not true, I understand that they're saying this because of the Board of Education. I don't think that that person is representing the Governor or the people of this State. I don't think that person, at times, believes in what the Board is saying.

"The elected Board is supposed to do their job, but the Superintendent is supposed to be in charge of the Department of Education, and I have heard from one of the older Superintendents that they had a problem with this because a lot of times the DOE would go around and circumvent and say this is really not what is needed. So the programs don't get funded.

"At least with an appointed, hopefully a Superintendent that is going to be appointed and then the Senate will go ahead and make sure that that person is confirmed, then the Governor, after he picks that person, will feel confident. Without that, no one knows who to blame. The Superintendent, if he or she does not do the job that they are supposed to do, who does the people really have to go to? Do they say the Superintendent is not doing his or her job? Do they say the Board has chosen the wrong person or that the Governor is not funding those things which that Superintendent wants? If the Superintendent, after being confirmed by the Senate and chosen, and then the Governor is appointing him, if that person is doing a job that is not what we want, then you can point your finger and say, Governor, that person is not doing his or her job properly.

"And if what I am listening to with the prior speaker is true, then there should be no department heads because he is trying to say that there's no accountability. I know almost every department right now. If they are not doing their job, we know who to point to and we can blame the Governor for appointing those people. We can say, I don't think that you're doing a good job, or we won't fund that because of that individual. And in this case, where the public is concerned, I think they have a better job of getting rid of that individual because they will stand up and cry out very loudly that he or she is not doing a responsible job for all of us in the Department of Education.

"So I think that this is a very good bill. I think that we should look at having a person who is going to be responsible to the Governor, who is going to sit on that cabinet and have a little bit of say, and have the Governor say, I know that you are behind of this because it is a good program and you're not just putting it past because the Board is saying so, the DOE is saying so, or

the HSTA is saying so. You're saying it because I appointed you and the people want it.

"I would hope all of my colleagues would consider this and vote for the bill.

"Thank you very much, Mr. Speaker."

Representative Metcalf then rose to speak in favor of House Bill 352, HD 1, and House Bill 302, HD 1, stating:

"Having heard the eloquent remarks of Representative Anderson and Representative Bybee, I would like to have them inserted in the Journal as my own, except with respect to Representative Anderson's statement that he has served under five Superintendents, I cannot make that claim, Mr. Speaker."

The Chair, noting that there were no objections, "so ordered." (By reference only)

Representative Metcalf continued:

"I would also like to thank the members of the Judiciary Committee for taking on which we felt was an arduous challenge, but we believe that this is good legislation, Mr. Speaker, and I would urge our colleagues to support it.

"Thank you."

Representative Isbell then rose and stated:

"Mr. Speaker, I rise to speak in favor of these two bills--House Bills 302 and 352.

"No other school system is like Hawaii's. We cannot compare what happens on the mainland with what happens here. Right now, the Department of Education is so unwieldy -- could it get any worse? And who is really responsible for the schools?

"We are not talking about decentralization or centralization -- we are talking about accountability. Who is accountable? I've had five children. All of them have gone through the public school system and my frustration has always been -- how do we get things changed? How can we improve the system?

"I really think we should give it a try. I'm willing to go out and try and get my community involved and understanding what this is all about for the vote next year if we can get this through the Legislature. I think that all we're asking for is the opportunity, really, for the people to exercise their right to vote on the constitutional amendment and that's what these two bills will do. And I think that the people will have an opportunity to speak at the polls.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 352, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 2 AND 3, OF THE HAWAII CONSTITUTION," passed Third Reading by a vote of 42 ayes to 9 noes, with Representatives Baker, Cavasso, Hayes, Hirayama, Honda, M. Ige, O'Kieffe, Shon and Tam voting no.

H.B. No. 837, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 837, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

DEVELOPMENTALLY DISABLED," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 536, 453, 523, 302, 352 and 837 had passed Third Reading at 7:45 o'clock p.m.

H.B. No. 945, HD 2:

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

At 7:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:04 o'clock p.m.

H.B. No. 946, HD 2:

Representative Apo moved that H.B. No. 946, HD 2, having been read throughout, pass Third Reading, seconded by Representative Hemmings.

Representative Peters rose and stated:

"Mr. Speaker, I rise to speak against this measure and in doing so, perhaps it should be noted that I voted against the law that is currently in place, Act 298, primarily because it interfered with the marketplace. We often talk about willing sellers and willing buyers participating in that marketplace and selling their goods and wares and, hopefully, this body will not interfere with that process.

"This measure has to do with the lease to fee conversion, or should I say the voluntary lease to fee conversion of your multi-family units commonly referred to as condominiums.

"Why are we legislating in this area? I will tell you. I have been thinking about it. I know I spoke against it last year as I pointed out earlier. The only reason is because there have been too many successful sales out there and there are those in this community who want to interfere with those sales for their own purposes.

"During the recent committee hearings we've had, two lessee attorneys came by and testified. They were the people who drafted this measure at the eleventh hour in the conference committee of last year, and they screwed up and they admitted it. And so now, because they can't prevent the realtors out there who are acting in good faith, representing both lessees and lessors and selling the fee interest underlying the condominium units, they want to once again attempt to interfere with that process.

"Voluntary conversion is what this bill talks about. Well, I'll tell you. I'm not a semanticist but the way in which this bill is designed, I think it is far more appropriately termed 'mandatory coercion.'

"We heard in our caucus that one of the reasons for this measure was to kind of stifle what some people call 'unscrupulous and deceptive practices' on the part of the realtors. That's not true. Over 20,000 sales have occurred already -- all successful. So what are we doing? Think about it. And if you think the lessees are going to be in favor of this, I suggest that you think again.

"This bill calls for good faith negotiations. I like that terminology. Again, I'm not too sure exactly what it means but I can picture the negotiations occurring, and after four months, somebody accusing somebody of not negotiating in good faith and the delay occurs again.

Time is money. Everybody knows that, especially bankers.

"If you're a lessee and you got a loan commitment to purchase the underlying fee of your unit, you think that banker is going to hold on to that commitment to you for four months? And that's only the negotiation process now. Think about the other processes with respect to finally ending up with your property. You're adding a few more months to the process as well -- escrow, et cetera. And there are a number of things that can possibly lead to additional delays. Some of you perhaps may not be all that interested in the discount rate, or the prime rate, but I suggest you check it out. It's slowly climbing upwards. And so your lessees will sit back there and say, my goodness, I can't receive the same commitment for my loan agreement that the bankers gave me four months ago. Good faith negotiations.

"You know, this body over the years, and I mean for a number of years, have mandated the passage of certain legislation to control the actions of associations and boards within condominiums. Why? Because they have a difficult time managing their affairs. Very simply. So now you add to that this new task of negotiating the price under a lease to fee conversion. Do you know what the implications are there? They would need to hire a lawyer and hire an appraiser. Those people come free -- right?

"The liability question alone forces them to hire these individuals. So who is it that gains from all of this? Lawyers, a few of them, and I am not in the habit of lawyer-bashing here because obviously there are very outstanding attorneys in this town. But there are a few who are unscrupulous and who would gain from the passage of measures like this.

"We talked about an open market and not interfering with that. Why would you want to interfere with it? Very simply -- then it gives credence for mandatory conversion. Right? Simple. Anybody can add. And after going through good faith negotiations, somebody accuses somebody else of not participating in good faith, the lessor goes around and sells to the lessee, and somebody to place a cloud over that contract, run down to the courts and say that this guy did not participate in good faith. Who is to determine what's good faith? These are legal terms. Again, used as a means of deceptively trying to pass something under our nose and think that everybody's going to lie down and play dead.

"I suggest to you very seriously that lessees and lessors would be hurt by this. There are some who will say -- yes, lessor attorneys and lessee attorneys got together on this matter. Well, again they screwed up. Read the measure and, hopefully, you will vote your conscience.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, the reason this bill was introduced was that lessees, feeling victimized, came to us and said, 'HELP!' This is what they said last year when the right of first refusal was passed. It seemed to us that was the way to make sure that one real estate sales person played fair. We passed it.

"The reason that it allowed 120 days was that it was felt it would take that long for a board to get in touch with the residents or owners and find out who wanted to buy and who didn't, and find out what would be needed to finance it and make whatever arrangements had to be done. That same real estate salesperson found a way around the bill, found a way so that he could still go to

the lessee owners and say, 'Good news, you can buy the fee under your unit but you have to make up your mind before the end of the month and I have with me the sales contract, and I need your check and unless you do it by the end of the month, it will go up a hundred dollars a month every month.'

"This person not only took the six percent commission, but we are told added to it under the table expense cost which did not go to the lessor and was no help to the lessee. It benefitted only the salesperson. I am told that this person profited by the 'under the counter payoff' of increased price by as much as \$10,000 a unit. This is why this bill was passed.

"Thank you."

Representative Amaral then rose to speak against the bill, stating:

"I speak in opposition to this particular measure for a number of reasons, but in particular, I must speak against this measure because of the last speaker and the way that the argument has been presented.

"I believe that it is bad policy for this body to write a substantive piece of legislation for the purpose of getting to one individual. I believe that is reckless. I believe that is irresponsible. And based partly on that and greatly on a number of other things, I will vote against this measure.

"Thank you."

Representative Hiraki rose to speak in support of the measure, stating:

"Mr. Speaker, all this bill does is it allows lessees, as an association, some time to get pertinent information to afford them some help when evaluating an offer in a voluntary sale.

"One observes that many of the problems in this area of the right of first refusal, and even in the whole leasehold area, is because parties entering into the type of arrangement were not exactly clear what all the pertinent information was. And what happened is that this created many misunderstandings and resentment. Recognizing that a period of open and fair discussion is good for both the lessor and the lessee, the attorneys for the lessors and the lessees at the hearing came together and drafted this bill together, perhaps recognizing that in order to make all the parties happy, you must allow people to make not a Hobson's choice, but an informed choice.

"I urge you to support this bill.

"Thank you."

Representative Anderson rose to speak against the bill, stating:

"Mr. Speaker, I've always believed in calling a spade a spade, and I believe in reality. This has almost turned into being a fight against an ethnic group and one particular group of people that own a lot of land. That's what's happening.

"If you sit in committee though, you find that you have a lot of small lessors, and that's where I became a lot more knowledgeable about what was going on. I heard people from Moiliili saying that they inherited some land from their parents way back in 1914. They don't want to get rid of it. They have brothers and sisters and they have children, nieces and nephews that they would like to have that left to. There's areas in Kailua and there's

areas all over this State that I think small lessors are concerned about.

"When you say that this bill, Mr. Speaker, is going to help, the other night I happened to ask a group that was sitting there if they were interested in not purchasing but re-leasing if they're really getting old and they want a home, and I've been in that predicament and they just want to live out their years and something to leave to their children. Would they be interested in a fair renegotiable lease? And they said, 'no.' And yet this bill says on line 7 through 11: 'Condominium project means a real estate condominium project; a plan or project whereby a condominium of two or more units located within the condominium property regime have been sold or leased or are offered or proposed to be offered for sale or lease.' They are not interested in that. They want to buy.

"Also, Mr. Speaker, if you go to page 4, I have a problem with this section because I happen to talk to a person who was willing to sell his lease into fee and when I spoke to him, he said he sold it and he is now not selling any more projects because people that he sold his property to either sold it or those that didn't want to buy want ahead and let the condominium association purchase it and right here, on page 4, lines 2 through 7, it states: 'SECTION 5. . . ' I'll just forego reading it, but it says in essence that you do not have to buy your proportionate share. What you can do is to allow the lease to fee interest be purchased by the association and then you can rent for them. They become the owner and that's what this bill says. And that's why I have some concerns. It's not that easy.

"And also, if the lessee decides to sell, maybe they have an offer, maybe all of a sudden the price and everybody has a price I guess. The price is right. Joe Blow says, 'Whitney, I'll buy your condominium, fourteen units, eighteen units or whatever, and I'm going to give you \$3-million.' Once I say I want to sell, the first option is to the lessee. If I say I want to sell for \$3-million, they have the right to negotiate and say that's too high. We're going to go into arbitration and bring it down and you have 120 days to do so. And that's what I understand can happen with this.

"Also, Mr. Speaker, what's to stop within that 120 days, and I'm sure that we're as honest as can be, but out in the real world, if you have 120 days and Joe Blow says, 'Yes, I'm going to sell,' what's to stop the lessees from going out looking for somebody that wants to buy a portion of that and comes back and says, 'Yes, this is what we'll do at this price.'

"There's a lot of concerns about this. There was also an offer that we have a resolution and I believe that's fair. I'm new at this. I think it's something that's going to take a lot more than just rushing into it if we're going to do anything at all. I suggest that we do a resolution and get everybody back and study this a little more because I don't think that this is fair and equitable.

"Thank you very much, Mr. Speaker."

Representative Bellinger then rose to speak against the bill, stating:

"I think one of the things we need to remember in this particular bill is we have a lessor, a landowner, who is voluntarily making his land available for purchase. He will establish a price. Let's say it is a million dollars that he wants for this and he goes and approaches the association and he says, 'I'm going to sell my land for a million dollars because this is what I deem to be the value of the property.' Now if he decides that he wants to have

that million, and if the association comes back and says, 'Well, we're only interested in seven or eight hundred thousand.' Well, it should be the prerogative of the lessor to say, 'Fine, I'm not interested in selling,' at that point.

"I would like to make one correction in Representative Anderson's comments however, and that there is no arbitration here. It's simply a negotiating instrument.

"But in that negotiating period of time -- 120 days -- if, at the end of that time there is still a wide gap between what the landowner is willing to make it voluntarily available for, and that amount of money which the lessees are willing to pay for, that large gap stays there, then it will be very easy to say, 'Look, you haven't been negotiating in good faith.'

"Now, granted, it is difficult to prove lack of good faith, but nonetheless, what can happen then is the whole project can be tied up for long periods of time.

"The other thing that I would like to bring in to this is that in regards to the comments that Representative Amaral had, she is quite right, and I endorse her comments.

"One thing that you should understand is at the end of this 120-day period, should this measure pass and should no sale be consummated, there is nothing to preclude those same types of tactics which were being targeted primarily against one individual from immediately going into play all over again.

"So, all we really end up accomplishing here is saying, you must negotiate with a voluntary landowner, and then you are going to open him wide open to claims of bad faith and for delays in the actual acquisition of the property. With those delays, there is going to be increased costs, and I think the lessee will lose on this.

"I urge my colleagues to vote 'no' on this.

"Thank you."

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

"As you all know, we have been dealing with the mandatory lease to fee issue for condos and co-ops for a good many years, at least six years, and in fact, this session, Representative Hayes' committee and my committee had very extended hearings on the mandatory lease to fee issue.

"There's no question that this is an issue that is very emotional that has led to polarization, et cetera. It is sad, however, that with this particular bill, we're not even talking about a mandatory lease to fee bill. We're talking about a voluntary sale situation. And it is sad that the polarization that has characterized the discussion on the mandatory lease to fee bills seem to be carried through on a voluntary sale bill.

"As Representative Hiraki mentioned, all we are attempting to do with this bill is to afford the lessees a little time to group themselves, to learn the facts, to be able to figure out whether or not the offer that is being made to them is fair. And as he also indicated, this particular language was drafted by the attorney for the very person who has been converting thousands of these kinds of sales in a voluntary fashion. It was his attorney plus the attorney for a group of lessees who came up with this language as being an appropriate approach at this time to promote these kinds of voluntary sales. It is not a mandatory sale, nor is it forcing the sellers to sell anything, nobody's forcing the lessees to buy anything --

strictly voluntary. And again, it is sad to note that the polarization has been extended to even this issue.

"I believe that it is a fair approach. I urge my colleagues to vote in favor of this measure."

Representative Hayes, in rebuttal, stated:

"I think in the discussion that people have lost sight of what a right of first refusal means. In Act 298 of last year, it provided that the willing seller who received an offer before accepting the offer should give the apartment owners the chance to match it. No talk of negotiating down because he has an offer at a price that he feels he could accept and this simply gives the people who live over the land the first chance to buy it at that price.

"Thank you."

Representative Peters rose to speak against the motion, stating:

"I think one of the items that this body should be reissued if you will, is a study that was commissioned by HFDC, by some kind of party out there, to review this whole area of condominium lease to fee conversion. That is the basis for any kind of legislative findings, by the way, which I would like to have submitted into the Journal, if you don't mind, Mr. Speaker, since we spent thousands of dollars to have it written up.

"But one of the points that I think we need to remind ourselves on is, who do we have as lessees out there? The study indicated that approximately 82 percent of all the lessees were non-owner occupants. So what does that mean? 82 percent --think about it. Of course, in all fairness, it is my understanding that Representative Hayes has since had some of those figures updated and now my understanding, it comes out to 70 percent. I don't know how that was calculated but, okay, I'll take seventy -- seventy percent are non-owner occupants. So they are either leasing their apartments, they are renting it out; in other words, they are investors, or speculators, and a very large amount or large portion of that are foreigners. And when I mean foreigners, non-residents of Hawaii. Okay? HFDC says there is 82 percent; somebody else says 70 percent. Whatever that number is, it is still nonetheless the overwhelming majority of people that we are going to give consideration to at the expense of other land owners who reside here in Hawaii. The residents of Hawaii -- the true, real residents of Hawaii.

"Thank you, Mr. Speaker."

Per Representative Peters' request, the following is hereby inserted:

**"LEASEHOLD CONVERSION OF CONDOMINIUMS
AND COOPERATIVE HOUSING PROJECTS
PHASE 1**

Prepared for:
Housing Finance and Development Corporation

Prepared By:
Ezra, O'Connor, Moon & Tam
DHM Planners inc.
John Child & Co. Inc.
Peat Marwick Main & Co.

November 1987

**MEMBERS OF THE CONSULTANT TEAM
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Steven C. Ai

**LEASEHOLD CONVERSION OF CONDOMINIUM AND
COOPERATIVE HOUSING PROJECTS STUDY TEAM**

The Housing Finance and Development Corporation's Leasehold Conversion of Condominiums and Cooperative Housing Projects study team is led by the law firm of Ezra, O'Connor, Moon & Tam as prime contractor, and includes DHM Planners, inc., John Child & Company, Inc., and Peat Marwick Main & Co., as subcontractors.

EZRA, O'CONNOR, MOON & TAM, Attorneys at Law, a Law Corporation, the prime contractor, is a law firm concentrating its practice in business, real estate and litigation matters. The firm has represented landowners, associations of apartment owners, developers, lenders, and others with interests in the condominium and cooperative housing field. The principals of the firm who led the study team are:

William W.L. Yuen is a graduate of Yale University and Rutgers University Law School, whose practice emphasizes financial services and real property law. Mr. Yuen also worked as a city planner and has served as chairman of the State Land Use Commission.

James K. Tam is a graduate of Williams College and Georgetown University with considerable experience in the representation of landowners, developers and associations in the single-family residential lease to fee conversion process.

DHM Planners, inc. is a private planning consulting firm which practices in all aspects of land use and environmental planning. Its principals are:

Duk Hee Murabayashi its president, is a graduate of the University of California at Berkeley, and University of Southern California with broad experience in the preparation of community plans, environmental plans and policy planning and in development planning.

Valerie Lam is a graduate of Goucher College experienced in environmental planning and legislative and government analysis.

John Child & Company, Inc. is a professional real estate service corporation, which specializes in real estate appraisals and consulting. It is one of the largest and oldest real estate appraisal and consulting firms in Hawaii with a wide range of residential, commercial, resort and

development experience. The principals of the firm who participated in the study are:

Karen Char, MAI is a graduate of the University of Hawaii, and a member of the American Institute of Real Estate Appraisers. She has extensive experience in the condemnation of single-family residential lease to fee conversion properties.

Paul Cool, is a graduate of the University of Hawaii, who specializes in real estate economics.

Peat Marwick Main & Co. is one of the largest international management consulting and certified public accounting firms in the world. Peat Marwick's management consulting staff who participated in the study are:

Dr. Ann Mikiko Bouslog is a graduate of Stanford University and Cornell University, who has extensive experience in market assessment for resort and residential and commercial developments and financial and economic analysis.

Steven Ai is a graduate of Whittier College and the University of Denver, who specializes in marketing and financial projection in real estate development.

INTRODUCTION

This study was prepared in response to 1987 House Resolution 380 (H.R. 380), 'House Resolution requesting the Hawaii Housing Authority to address issues related to leasehold conversion of condominiums and cooperative housing projects.'

H.R. 380 requested answers to specific questions related to the property beneath condominiums and cooperative housing projects, and to report its findings to the Legislature 20 days prior to the convening of the 1988 Session.

In May 1987 the Housing Finance and Development Corporation (HFDC), formerly part of the Hawaii Housing Authority, sent out a Request for Proposal to fulfill the requirements of H.R. 380. The consultant team of Ezra, O'Connor, Moon and Tam; DHM Planners inc.; John Child and Company Inc.; and Peat Marwick Main and Co. were selected to prepare the report.

H.R. 380 requested that interviews be conducted with individuals with varying interests in the lease to fee conversion issue. A list of the persons interviewed is contained in Appendix 2 of this report.

This report represents Phase I of the study and consists of (a) the findings of the interviews, (b) research on the leasehold conversion issue, (c) responses to questions in H.R. 380, and (d) conclusions and recommendations. HFDC grouped the questions into five different issue areas: General, Policy, Finance and Value, Legal and Tax. This report is organized according to this grouping.

EXECUTIVE SUMMARY

CONCLUSIONS/RECOMMENDATIONS

The research and findings of the interviews conducted as a part of this study indicate that there are primarily five areas of concern in the leasehold condominium and cooperative housing system. Proponents of mandatory conversion legislation have raised these five areas of concern as objectives to be achieved by mandatory conversion legislation. They are:

1. Increasing fee simple home ownership.

2. Breaking up the oligopoly of land ownership in Hawaii.

3. Controlling lease rent.

4. Freeing lessees from reversion of improvements provisions in surrender clauses.

5. Increasing the number of fee simple condominium and cooperative housing units.

The interviews and findings of available market data, which are discussed in detail in this study, do not suggest that a mandatory conversion law is the most effective means to obtaining the first four objectives. Some of these findings indicate:

- * Condominium purchases have been dominated by non-owner occupants, and not by individuals seeking home ownership. Only 31%, or approximately 16,400 of the leasehold residential condominium units in Hawaii, were owner occupied in 1984-1985.

- * The oligopoly of land ownership which characterizes the single-family residential leasehold ownership pattern is not completely analogous to the pattern of land ownership underlying condominium and cooperative housing projects. Therefore breaking up the oligopoly of land ownership in Hawaii is not a public purpose which could support mandatory condominium and cooperative fee conversion.

- * 89% or 415 of the landowners of the 754 condominium and cooperative projects in Hawaii own land under a single condominium or cooperative project.

- * There is no market evidence to suggest that the pattern of renegotiated ground rents for condominiums and cooperatives is unreasonable. Since the late 1950s and early 1960s, the growth rates between original and renegotiated ground rents have been consistent with the growth of personal incomes, housing values and consumer prices over similar time periods.

- * Voluntary fee conversion programs will provide no assurance that leasehold condominium and cooperative apartment owners will ultimately have the opportunity to purchase their leased fee, particularly in view of the severance damages arising from a sale of partial individual interests in the leased fee.

- * A significant number of condominium and cooperative housing projects are scheduled for their first lease rental negotiations starting in 1990, and the ability to obtain long term fixed rate financing for leasehold condominium purchases will diminish as lease terms progress. Therefore, it is anticipated that motivations of lessees and lessors may change significantly as these negotiations draw closer, and that support for leased fee conversion relief will increase.

However, if a public purpose is to be identified as the basis for introduction of mandatory conversion legislation, then the fifth objective, increasing the number of fee simple condominium and cooperative housing units, could support the introduction of such legislation. Research indicates that on Oahu, where the majority of residential condominium and cooperative projects are located, 60% or 518 of the projects and over 70% or 53,898 of the units are leasehold.

So long as the Legislature determines that fee simple ownership of condominium and cooperative housing units is a proper public purpose, mandatory condominium and cooperative fee conversion legislation should be upheld as a proper public use by a federal court following Hawaii Housing Authority v. Midkiff or a state court following Hawaii Housing Authority v. Lyman.

In order to afford the Legislature an opportunity to explore a full range of alternative approaches, it is recommended that Phase II of this study explore two different legislative alternatives:

1. To prepare draft legislation for mandatory condominium and cooperative fee conversions to require conversion of 100% of the leased fee interest under a condominium or cooperative project with a high minimum threshold of applicants. The method would appear to be the most equitable manner to implement a mandatory leased fee conversion process.

2. To prepare limited purpose legislation addressing three issues: rent control, reversionary or surrender clauses in apartment leases and the power of apartment owner associations and cooperative housing corporations to borrow and assess apartment owners to acquire leased fee interests.

The two alternative legislative proposals are recommended to provide the Legislature with a wide range of alternatives for their examination and consideration.

FINDINGS

General Issues

In 1987 there were approximately 69,300 units in 754 leasehold condominium, cooperative, planned development and cluster projects in the state of Hawaii. Approximately 51,572 units representing approximately 74.5% of all leasehold units were on land zoned for residential apartment use; 8.3% or approximately 5,725 units were on single-family residential-zoned land, and 15.6% or approximately 10,790 units were on mixed apartment/commercial, commercial or industrial zoned land.

Approximately 16,400 units representing 31% of the leasehold residential condominium units in Hawaii were owner occupied in 1984-1985. The highest owner occupancy rate is on Oahu, where nearly 16,000 units or about 34% of all residential units were owner occupied. The owner occupancy rate on the neighbor islands is considerably lower, between 2.9% and 11.5%, having a total of approximately 424 units which were owner-occupied.

In a sample of 66 leasehold projects, all the ground leases extend for at least 50 years, and typically for a term of between 55 and 75 years. By 2040, the leases for over 477 projects representing 75% of all existing projects will have expired. Approximately 57 of the 66 projects sampled, about 87%, have known rent periods ranging between 25 and 35 years. Approximately 56 of the leasehold projects sampled have renegotiated rent periods between 25 years and 40 years. The ground rents during the known and renegotiated rent periods are typically fixed in increments of 5, 10 and 15 years. Rent escalations during the known rent period range typically between 1.0% and 2.9% per year.

The leases for over 50 of the leasehold projects sampled provide for the renegotiated rents to be based on a stated rate of return on the fair market value of the land at the

time of rent renegotiation. The rent renegotiation clauses for the remaining projects sampled provide for renegotiation based on fair market rent, a percentage of the rent paid to a master lessor, or rent increases based on the change in the consumer price index. The compound rate of growth between the original and renegotiated ground rents typically ranges between about 1.0% and 5.0% per year. Leases for about 59,200 units in 616 projects, about 90% of the leasehold units in Hawaii, provide for renegotiation of their ground rents between 1990 and 2015.

The median monthly ground rent for the urban Oahu projects sampled was approximately \$0.084 per square foot of net apartment area. The monthly median ground rent for suburban Oahu projects sampled was approximately \$0.038 per square foot of net apartment area.

As of the date of this study, lessors of 42 leasehold condominium projects (4,870 units) have voluntarily sold leased fee interests to apartment owners. Most of these sales occurred between 1984 and 1987. The participation rate of purchasers for the projects sampled ranges between 2% and 98%. Approximately 3.9% of all leasehold condominium units in Hawaii have been voluntarily converted.

There is no apparent correlation between the owner occupancy rate in a project and the participation rate in the lease to fee conversion. There is also no significant correlation between the length of the remaining fixed rent period and the lease to fee conversion participation rate.

Leasehold projects in Hawaii occupy approximately 1,920 acres. The largest concentration of leasehold condominium development, with 68% of the total (1,298 acres), is on Oahu. The median and mean lot areas are 38,480 square feet and 110,955 square feet, respectively. 577 projects (78%) are located on sites of three acres or less.

Policy Issues

The interviews conducted for this study and research into the background and legislative history of the mandatory conversion issue indicate that there are primarily five areas of concern in the leasehold condominium and cooperative housing system. Proponents of mandatory conversion have stated these areas of concern as objectives of mandatory conversion legislation. They are:

1. Increasing fee simple home ownership.
2. Breaking up the oligopoly of land ownership in Hawaii.
3. Controlling lease rent.
4. Freeing lessees from reversion of improvements provisions in surrender clauses.
5. Increasing the number of fee simple condominium and cooperative housing units.

The available market data collected for this study indicates:

- * Non-owner occupants dominate condominium purchases, not individuals seeking home ownership. Approximately 16,400 or 31% of the leasehold condominium units in Hawaii were occupied by owners in 1984-1985.

- * The average participation rate in voluntary conversions for non-owner occupants (54.8%) is greater than the average participation rate (32.9%) for owner occupants, a statistic which indicates that purchasers may be motivated by considerations other than the desire to own land under one's residence. (Based upon research of motivations of those who did and did not participate in voluntary conversions.)
- * Ownership of land lease for condominium and cooperative projects in Hawaii is dominated by small landowners. Approximately 89% or 415 of these lessors own land under a single condominium or cooperative housing project.
- * Condominium and cooperative apartment lessees have not yet experienced the significant lease rent increases experienced by single-family residential lessees. Very few condominium and cooperative lessors and lessees have renegotiated their lease rents as of this date. The few renegotiations that have occurred to date are based on annual compound rates of growth ranging from 1% to 5% of the original ground rents.
- * Many lessees say that they were not informed about the reversion of improvements provisions in surrender clauses. They feel that the clause operates unfairly.

The available market data relating to leasehold condominiums and cooperative housing projects does not suggest that a mandatory conversion law is the best means to obtaining the first four objectives mentioned previously. However, if a public purpose is to be identified as the basis for introduction of mandatory conversion legislation, then the fifth objective, increasing the number of fee simple condominium and cooperative housing units, could support the introduction of such legislation.

Alternatives to address the first four objectives listed previously include:

1. Lease rent control legislation.
2. Legislation to modify reversion of improvements provisions in surrender clauses.

If increasing the number of fee simple condominium and cooperative housing units is the designated public purpose of mandatory conversion legislation, then there should not be any restrictions, such as owner occupancy or first time land ownership, on participation in a mandatory conversion program.

Similarly, if the objective is to increase the number of fee simple condominium and cooperative housing units, then all types of residential condominiums and cooperative housing corporations should be included in a mandatory conversion program. The fee underlying the typical high rise condominium and cooperative housing corporation building, would be subject to conversion, as well as the fee underlying cluster developments, planned development housing, and mixed commercial/residential buildings.

If mandatory fee conversion is implemented, HFDC's primary role should be advisory and administrative. Enabling legislation could authorize HFDC to acquire leased fee interests on an interim basis, in order to transfer the leased fee interests to individual lessees; or to transfer the interests that are not purchased by individual lessees to a condominium association or cooperative corporation.

For condominium projects, a relatively high minimum percentage of lessees should be required to petition HFDC to initiate condemnation of the leased fee. HFDC should also be empowered to condemn 100% of the leased fee interest. It is also recommended that the association be required to purchase the leased fee interest of those lessees who are unwilling to purchase the fee at the time of conversion.

In the absence of a mandatory unanimous fee conversion requirement, the lessees who do not choose to participate in a fee conversion would continue to lease land underlying their units from the landowner, or they could lease from the condominium owners' association, or whoever purchases the leased fee.

A mandatory unanimous conversion would avoid the inequitable situation that would result to a lessor who would be left with a minority undivided remnant leased fee interest in a project or a building that remains beyond the term of the original lease.

For cooperative housing corporations, a lower minimum percentage (51%) of apartment owners should be required to petition the HFDC to initiate condemnation of the leased fee, but the corporation must purchase the entire leased fee. Since a cooperative has a single lease from the landowner, and the cooperative is organized as a corporation, a simple majority can and should be able to bind all apartment owners. (Under general principles of corporate law, majority vote of the stockholders is sufficient to bind all stockholders unless the articles of incorporation on by-laws otherwise provide.)

Finance and Value Issues

Partial lease to fee conversions adversely affect lessors in the following ways:

- * Higher administrative costs.
- * Loss of control at reversion.
- * Disproportionately lower value of the remaining partial interest.

Alternatives are available to finance apartments with fixed lease terms of less than ten years. The sales prices of such units do not yet appear to be adversely impacted by any inability to obtain long term financing.

The combined leasehold and leased fee prices of sampled condominium units averaged 13% higher than their respective leasehold prices. Similarly, the price differential between leasehold and fee simple sale prices in the same projects averaged about 12%.

Under the 1986 Tax Reform Act, it would be extremely difficult, though technically possible, for HFDC to issue tax exempt bonds to finance the acquisition of leased fee interests by lessees. To be tax exempt, such issues would have to meet the exemptions for qualified mortgage bonds or qualified veterans' mortgage revenue bonds. Both exemptions would necessitate very restrictive qualifications for borrowers, as well as highly scrutinized administration of the loan program.

Additionally, even if the bonds were qualified private activity bonds, they would be subject to the state's overall volume cap on issuance of qualified private activity bonds for each calendar year. As an alternative HFDC could consider the issuance of taxable bonds to finance acquisition of leased fee interests.

Savings and loans and banks could represent significant originators of financing for leased fee purchases.

However, due to their emphasis on residential mortgage lending, where individual loan requirements are small, financing could be expected to be more readily available from savings and loan institutions than from banks. Savings and loans and banks could also be expected to develop special packages and/or terms for such loans if the volume of demand merited it.

On the other hand, agreements of sale, which were significant residential financing vehicles in recent years, could be expected to be rare due to the changes in federal tax law in 1986. In the future, agreements of sale are likely to be offered only where the transactions may be considered tax-exempt.

In addition, due to the relatively low amount of the typical leased fee purchase compared to residential unit purchase requirements, other sources of financing and capital that have supported residential home loans could also be active in the leased fee purchase market. These other sources of financing could include:

- * Employee profit sharing plans.
- * 401K and similar employee benefit plans.
- * Credit unions.
- * Mortgage brokers.
- * Industrial loan or finance companies.
- * Purchase money mortgages.
- * Loans from friends or family members.
- * HFDC financing with taxable bonds, subject to Legislative approval.

Potential economies of scale associated with loans made to groups of buyers within a single project are likely to be largely unrealizable due to the need to evaluate the creditworthiness of individual buyers. Even if a homeowners' association could incorporate, with the corporation's creditworthiness being evaluated on the basis of the prior history of lease payments made to the landowner, the security of such a loan would still depend on the creditworthiness of the individual unit owners.

Regarding financing options for elderly condominium unit owners, there are currently no special programs in Hawaii for owners who cannot afford lease rent increases or to purchase the leased fee interest. Possibilities for assistance include lease rent controls for the elderly, a lease rent deferral program, government subsidized housing payments, or family financial assistance.

Legal Issues

Regarding the constitutionality of mandatory lease to fee conversion legislation for condominiums and cooperatives, as long as a legitimate public purpose can be asserted (such as the need for widespread fee simple ownership in order to wisely conserve, preserve, use, and manage land in the State in a way which promotes a decent and healthful standard of life) and a rational basis can be established for using eminent domain to advance this legitimate public purpose, then legislation to permit such mandatory conversions would not violate the 'public use' clauses of the Fifth Amendment to the U.S. Constitution, or Article I, Section 20 of the Hawaii Constitution.

A statute analogous to the single-family residential statute relating to surrender clauses applicable to condominium and cooperative leases should recognize that

condominium and cooperative leases are popular forms of residential home ownership which involve large scale residential developments. The statute should also recognize that a lessor's surrender clause could require lessees to pay for an expensive demolition of a building, at a time when lessees may be unable to afford such an expense (when lessees have to locate replacement housing).

A new law should afford a lessee an option to remove the improvement for his own use and benefit, or require the lessor to pay for the improvement at the end of the lease term. This would eliminate the problem of a lessor getting a 'windfall', which is the project paid for by the lessees, or attempting to force the lessees to bear the cost of clearing the lessor's property for redevelopment.

Any proposed new statute should be given retroactive effect for cooperative and condominium leases made prior to the law's enactment. The statute must expressly state that it was intended by the Legislature to have retroactive effect.

Regarding the refinancing and/or resale of units, commercial multi-family leasehold lending guidelines affect the ability to refinance or resell the units in two ways. These guidelines are as follows:

1. At time of loan origination, there must be at least ten (10) years remaining on the fixed rental period of the lease agreement.
2. The total term of the leasehold interest must expire in no less than five (5) years after the end of land loan term.

The first criteria raises some difficulties in obtaining long-term conventional financing for condominium units, but lending institutions do make loans for units with less than the ten (10) years of fixed term remaining, so long as there is a recorded amendment to the apartment lease agreement which fixes the lease rent in the subsequent period. However, since the lessee and lessor would have to renegotiate their rental anyway, this guideline tends primarily to encourage unit owners to do so earlier.

Of potentially greater concern is the lending requirement that the total lease term expire no less than five years following the end of the loan term. Although state law (see HRS Section 407-85) requires only a two-year buffer, lenders, guided by the requirements of the secondary mortgage market as well as their own need for loan collateral, tend to be slightly more conservative than required by law, and generally require five years. This stipulation is not a major issue currently, since the majority of leasehold multi-family units have more than 43 years remaining on their lease terms.

However, if there were no further lease to fee conversions, by 1990, 31% of the existing leasehold projects, or 21% of the existing leasehold units could become ineligible for 30-year commercial financing. Approximately 2% of existing leasehold projects, representing only 1% of existing leasehold units, would also then be eligible for 15-year commercial financing.

Means of avoiding this result could include the following:

- * To obtain loans with shorter loan terms from conventional lending sources, such as 3 to 10 year ARMs (Adjustable Rate Mortgages) or personal unsecured loans.
- * To obtain short term owner financing arrangements such as Agreements of Sale (in

instances where the transaction would be considered tax-exempt) or Purchase Money Mortgages.

- * To obtain a renegotiation of lease terms or purchase of the leased fee interest by unit owners. These steps would be necessary in any case to protect the value of the unit.

Tax Issues

Regarding the impact of tax incentives for the landowner in a mandatory conversion program, the most significant changes of the 1986 Tax Reform Act (TRA) concern taxes paid on capital gains, new limitations concerning passive activity losses, and changes in the treatment of installment sales accounting. These changes are expected to affect both federal and state taxes, since the State of Hawaii tax law is conforming to most of the new federal standards on most issues.

1. Capital gains

Formerly, the maximum effective tax rate paid on capital gains was 20%, which resulted from 60% of gains being tax-exempt, and the remaining 40% being subject to the top marginal tax rate of 50%. Following the TRA, however, the special tax treatment of capital gains was eliminated, and long term gains are now taxed like ordinary income. Since the maximum effective rate is now 33% for individuals (28% plus a 5% 'surcharge' in certain income brackets), and 34% for corporations, the tax rate applied to capital gains for most investors will be significantly greater than in the past.

However, Section 1033 of the Internal Revenue Code (the 'Code') still permits the deferral of taxes on capital gains resulting from the sale of real property in an involuntary conversion. This provision permits the deferral of taxes on that portion of the gain that is reinvested in property of 'like kind,' and has been held in letter rulings by the IRS to apply to gains from properties converted under threat of condemnation, as well as in cases where a condemnation actually took place. Together with the higher effective rates on capital gains, these provisions should have the effect of encouraging reinvestment of gains in properties of 'like kind.'

Although the TRA eliminated the special tax treatment of capital gains, it retained the mechanism for distinguishing such revenues from other income. Thus, the TRA continues to recognize the special nature of capital gains, and further changes to their tax treatment could be more easily achieved.

2. Passive Activity Losses

The TRA classifies a real estate investor's gross income into two categories: passive activity income (including most realty income and loss) and all other income. A passive activity is defined as the conduct of any trade or business in which the taxpayer does not materially participate. The new law prevents much of the sheltering of earned and portfolio income that was previously possible with losses from passive activities such as real estate investments, and passive activity losses are generally deductible only against passive activity gains. However, the TRA permits a taxpayer to offset up to \$25,000 of non-passive income with passive activity losses such as from rental real estate activities where the taxpayer actively participates. (Active participation requires only that the taxpayer make a significant contribution to the management and operation of a real estate rental activity, and is a less stringent requirement than material participation.) The amount of the other income or tax thereon which may be offset is reduced at

adjusted gross incomes between \$100,000 and \$150,000, and is completely phased out at adjusted gross income levels above \$150,000.

Thus, landowners forced to sell their leased fee interests could unexpectedly lose a means of generating passive losses, resulting in passive income gains being not fully offset by passive activity losses, and thus a higher than expected tax liability. Therefore, the TRA could be expected to encourage the reinvestment of income from the sale of a leased fee interest in other activities that could generate passive losses.

3. Installment Sales Accounting

The TRA significantly revised the special treatment of taxes on profits from capital gains where payments are received in installments. Previously, many of the tax consequences could be deferred to future tax periods, but under the new law, eligibility for such deferral appears to have been significantly curtailed. Thus, even where payment is received in installments, as in an Agreement of Sale on a leased fee interest, many sellers would be taxed on the full amount of the exchange at the time of the sales agreement. This could be expected to drastically reduce the attractiveness of owner financing in the form of Agreements of Sale, except for those sellers for whom the sales transaction could be classified as tax exempt."

Representative Liu then rose to speak in favor of the bill, with some reservations, stating:

"Mr. Speaker, I will be voting in favor of the bill because I do want to see perhaps more discussion on the idea, see what may come back from the Senate, what may not come back from the Senate, at least to get some of the kinks worked on, but I think there is some major, major kinks. Some have been mentioned on the floor by those who oppose the bill.

"One of my major concern is that we are granting here, although it is a voluntary conversion situation or voluntary negotiation bill, we do grant legally here the authority by this body or by the State to condominium associations the ability to negotiate on behalf of their interested members. To some degree, they have that authority on their own without the law, but then that's up to them without the law. This grants them this official capacity or authority to negotiate for them. It would have to go back for some approval process but I can foresee a situation where they get approval to negotiate on behalf of the members of the condo association, let's say it's a bare majority or sixty percent, sixty-five percent, whatever the by-laws may require, and my concern is that many condo associations do have problems in management. And what you see in the voluntary conversion situation right now, although there are problems to that too, most of the offers are to the individual owners directly so that they can make assessments. Both lessors and lessees can make assessments as to the ability of both parties to contract and negotiate and eventually consummate a sale.

"Here, you grant the authority potentially to a condo association which is negotiating on behalf of perhaps hundreds of owners, various interests, and if they accept the offer and an agreement is made, locks the people into agreements that perhaps can't be consummated for one reason or another. Many deals, even between competent and very knowledgeable parties in real estate, end up not going through because of arguments, because of falling through of collateral, because of all kinds of things. In those instances then, who pays? Who becomes liable? If the lessor sues the lessee condo association, who ends up having to pay the cost of that? I am quite concerned about those lessees who, in good faith, want to purchase their land, work through their condo association, not

really directly involved in the negotiations, the deal falls through and they end up perhaps having to pay a lot more than they contracted for or thought they contracted for, and in the end, perhaps not even owning their fee. This is my concern here and perhaps it can be worked out down the road.

"I hope the strong proponents of the measure take my comments under consideration.

"Thank you, Mr. Speaker."

Representative Souki then rose to speak in favor of the measure, with grave reservations, stating:

"I wish to echo the sentiments of Representative Liu. I think it was very accurate and very eloquent, and I would want the committee and the chair, if this bill should proceed to be considered, shorten the 120 days. I think that is much too long because with the current interest rates, the way it is going up, it is going to be a real burden on the lessor, whoever the lessor is, and consider all the other factors that Representative Liu said. If you think the chances are not too good in the Senate, possibly recommit and do some work in the interim.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 946, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLDS," passed Third Reading by a vote of 32 ayes to 19 noes, with Representatives Alcon, Amaral, Anderson, Andrews, Baker, Bellinger, Bunda, Cavasso, Duldulao, Honda, M. Ige, Kanoho, Kawakami, Leong, Peters, Say, Tajiri, Tom and Yoshimura voting no.

H.B. No. 1870, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1870, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Third Reading by a vote of 51 ayes.

H.B. No. 1709, HD 1:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TESTING OF ALCOHOL AND DRUG CONTENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1340:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1340, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES," passed Third Reading by a vote of 51 ayes.

H.B. No. 1213:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES," passed Third Reading by a vote of 51 ayes.

H.B. No. 388:

On motion by Representative Apo, seconded by Representative Hemmings and carried, H.B. No. 388, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 946, 1870, 1709, 1340, 1213 and 388 had passed Third Reading at 8:40 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 683 on H.B. No. 1113, HD 2:

On motion by Representative Souki, seconded by Representative Fukunaga and carried, Stand. Com. Rep. No. 683 and H.B. No. 1113, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were recommitted to the Committee on Finance.

At 8:41 o'clock p.m., Representative Hirono asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:44 o'clock p.m.

H.B. No. 945, HD 2:

On motion by Representative Hirono, seconded by Representative Hiraki and carried, H.B. No. 945, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommitted to the Committee on Consumer Protection and Commerce.

ANNOUNCEMENTS

Representative Hemmings then rose and stated:

"The Republican Party would like to announce that we are a 'loyal opposition' in gratefully acknowledging a happy day of democratic processing here at the State Legislature with open and free discussion on all the bills, and my congratulations to your leadership and the Majority Party for affording your 'loyal opposition' the opportunity to speak on these matters.

"Thank you, Mr. Speaker.

Representative Apo responded:

"We thank the Minority Floor Leader for those nice comments. We do appreciate the fact that the Minority has been very cooperative and we look forward to another second half of the session."

ADJOURNMENT

At 8:58 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Wednesday, March 8, 1989.